

LEGISLATIVE ASSEMBLY
OF ONTARIO

BILLS
AS INTRODUCED IN THE HOUSE
TOGETHER WITH
REPRINTS AND THIRD READINGS

SESSION
JANUARY 31st to APRIL 3rd
1934

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No. 1

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Mount McKay and Kakabeka Falls
Railway Company.

MR. SPENCE

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 1

1934

BILL

An Act respecting the Mount McKay and Kakabeka Falls Railway Company.

Preamble.

WHEREAS the Mount McKay and Kakabeka Falls Railway Company has by its petition prayed for an extension of the time within which it may operate by steam and may complete its railway as provided in the Act incorporating the said company, being chapter 82 of the Statutes of Ontario, 1904, and amending Acts, and otherwise in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1930,
c. 110, s. 1,
repealed.

1. Section 1 of the Act passed in the twentieth year of the reign of His Majesty King George the Fifth, chaptered 110, is repealed, and the following substituted therefor:

1904,
c. 82, s. 2,
amended.

1. Section 2 of the Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, is amended by adding thereto the following words: Provided that the said company may operate the said railway and any authorized extensions thereof by steam, for a period of eight years from April 1st, 1934, except on Neebing Avenue, north of Montreal Street, but such right to operate by steam shall then absolutely cease.

1930,
c. 110, s. 3,
repealed.

2 Section 3 of the Act passed in the twentieth year of the reign of His Majesty King George the Fifth, chaptered 110, is repealed

Time for
completion
of railway
extended.

3. Notwithstanding anything contained in *The Railway Act*, the railway authorized by the said Act, passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, as amended by the Act passed in the eighth year of His late Majesty's reign, chaptered 131, and as further

amended by the Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 143, and as further amended by the Act passed in the sixth year of the reign of His Majesty King George the Fifth, chaptered 104, and as further amended by an Act passed in the tenth year of the reign of His Majesty King George the Fifth, chaptered 151, and as further amended by an Act passed in the twelfth year of the reign of His Majesty King George the Fifth, chaptered 142, and as further amended by an Act passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 111, and as further amended by an Act passed in the twentieth year of the reign of His Majesty King George the Fifth, chaptered 110, and by this Act, shall be completed within eight years from the passing of this Act, and if the railway is not completed and put in operation within eight years from the passing of this Act, then the powers granted to the company by the said Acts shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Existing
rights,
powers and
agreements
not affected.

4. Subject to the provisions of this Act, all rights, powers, authorities and privileges conferred upon the said company by the said Acts, or by any general Act, are hereby declared to be in force, and nothing in this Act contained shall in any way be deemed to affect any agreement heretofore entered into between the company and any municipal corporation or any other person or persons.

Short title.

5. This Act may be cited as *The Mount McKay and Kakabeka Falls Railway Act, 1934*.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Mount McKay
and Kakabeka Falls Railway
Company.

1st Reading

2nd Reading

3rd Reading

MR. SPENCE

(Private Bill)

No. 1

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Mount McKay and Kakabeka Falls
Railway Company.

MR. SPENCE

TORONTO
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PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 1

1934

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Preamble.

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Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

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c. 82, s. 2,
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1. Section 2 of the Act passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, is amended by adding thereto the following words: Provided that the said company may operate the said railway and any authorized extensions thereof by steam, for a period of eight years from April 1st, 1934, except on Neebing Avenue, north of Montreal Street, but such right to operate by steam shall then absolutely cease.

1930,
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Time for
completion
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extended.

3. Notwithstanding anything contained in *The Railway Act*, the railway authorized by the said Act, passed in the fourth year of the reign of His late Majesty King Edward the Seventh, chaptered 82, as amended by the Act passed in the eighth year of His late Majesty's reign, chaptered 131, and as further

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4. Subject to the provisions of this Act, all rights, powers, authorities and privileges conferred upon the said company by the said Acts, or by any general Act, are hereby declared to be in force, and nothing in this Act contained shall in any way be deemed to affect any agreement heretofore entered into between the company and any municipal corporation or any other person or persons.

5. This Act may be cited as *The Mount McKay and Kakabeka Falls Railway Act, 1934*.

Existing
rights,
powers and
agreements
not affected.

Short title.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

BILL

An Act respecting the Mount McKay
and Kakabeka Falls Railway
Company.

1st Reading

February 6th, 1934

2nd Reading

February 16th, 1934

3rd Reading

February 26th, 1934

MR. SPENCE

No. 2

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Roman Catholic Episcopal Corporation
of the Diocese of Hamilton.

MR. MARTIN (Hamilton West)

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 2

1934

BILL

An Act respecting the Roman Catholic Episcopal Corporation of the Diocese of Hamilton.

Preamble.

WHEREAS The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario has by its petition represented that it was incorporated by an Act passed in the fortieth year of the reign of Her late Majesty Queen Victoria and has by its petition sought that an Act be passed changing the name of the said corporation; and whereas doubts have arisen as to the power of the said corporation under the incorporating and other Acts relating thereto to borrow money on the credit of the corporation and otherwise in respect of matters relating to its financial affairs and the said corporation has prayed that an Act may be passed for the purpose of removing said doubts; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Diocese of Hamilton Act, 1934.*

Change of corporate name.

40 Vict., c. 58, amended.

2. The name "The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario" is changed to "The Diocese of Hamilton" and sections 1, 2, 3 and 4 of chapter 58, being *An Act respecting The Roman Catholic Episcopal Corporation of the Diocese of Hamilton*, passed in the fortieth year of the reign of Her late Majesty Queen Victoria, is amended by striking out the name "The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario," wherever it occurs in the said sections and inserting in lieu thereof the name "The Diocese of Hamilton."

Power to borrow money.

3. The Diocese of Hamilton may borrow money on the credit of the corporation for the purposes of the corporation in such amounts, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the corporation.

Power to
make
negotiable
instruments.

4. The said corporation may make, draw and endorse promissory notes or bills of exchange.

Power to
mortgage.

5. The said corporation may borrow moneys on mortgage security of the real estate of the corporation for any of the purposes of the corporation.

Execution
of
documents.

6. Notwithstanding anything contained in an Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, it shall be lawful for the Bishop of The Diocese of Hamilton in Ontario, for the time being, in the name of the said corporation, to make or execute any deed, conveyance, mortgage, demise, release or assignment of the whole or any part of the lands, tenements or hereditaments acquired or held, or to be hereafter acquired by the said corporation under and by virtue of the said Act or of this Act, with the consent in writing of the chancellor of the Diocese or any vicar-general, and in case there shall happen to be no chancellor or vicar-general, or in case either of them shall be incapacitated by sickness, infirmity or any other cause, or shall happen to be necessarily absent at the time, then of two clergymen to be selected or named by the said bishop, all such selections or nominations and such consent to appear upon the face of the deed or other instrument in writing, intended to be executed by the parties, and to be testified by the said bishop and chancellor or any vicar-general, or by such two clergymen as aforesaid, as the case may be, being made parties to, and signing and sealing all the deeds, conveyances, mortgages, leases, assignments or other instruments in the presence of two credible witnesses as consenting parties thereto respectively.

Evidence of
due
execution of
documents.

7. A declaration on the face of the deed, mortgage or other instrument that it has been executed by the persons and in the manner mentioned in the next preceding section is to be sufficient evidence of the matters therein referred to.

Power of
corporation
to enter into
guarantees.

8. The said corporation may guarantee, with or without security, upon such terms as it may determine any debts of, the performance of any obligations of, and the repayment of any advances made to or for the purposes of any Roman Catholic corporation, organization, association or society engaged in activities in or partly in the Diocese of Hamilton, or any officers thereof or any pastor of a parish in the Diocese of Hamilton, and notwithstanding that any such corporation, organization, association or society may not have power to borrow money, any such guarantee shall be valid and binding upon the said corporation in the same manner as if such corporation, organization, association or society had power to borrow money.

Power to
pledge
personalty.

9. The said corporation may hypothecate, pledge or charge any or all the personal property of the corporation to secure any money so borrowed or the fulfilment of any guarantee entered into by it or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it.

Power to
issue
bonds, etc.

10. The said corporation may issue bonds, debentures and obligations on such terms and conditions as the corporation may decide and may pledge or sell such bonds, debentures and obligations for such sums and at such prices as the corporation may decide, and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the corporation to secure any such bonds, debentures and obligations.

Validity of
documents
executed by
the Bishop.

11. Notwithstanding any of the provisions of the incorporating or other above recited Act, every such promissory note, bill of exchange, guarantee, instrument of hypothecation, charge or pledge of personal property, bond, debenture and obligation made, drawn, signed or endorsed by the Bishop of the said diocese on behalf of the corporation under the corporate seal of the corporation shall be legal, valid and binding upon the corporation, and the execution of any guarantee in the manner aforesaid shall be conclusive evidence that such guarantee is valid and binding upon the corporation.

Validation
of existing
borrowings,
etc.

12. It is hereby declared that the said corporation shall be bound for payment of all moneys heretofore borrowed by and in the name of the corporation and shall be liable on all guarantees heretofore entered into by and in the name of the corporation, notwithstanding that the corporation may not have had power to borrow such moneys or to enter into such guarantees, if such borrowing or such guarantees would have been valid if done or entered into after this Act had come into force.

Lender not
bound to see
to applica-
tion of loans.

13. The persons, firms or corporations, including chartered banks, from whom any moneys may be borrowed by the corporation shall not be obliged to see to the application of the said moneys or any part thereof.

Construction
with other
Acts.

14. This Act shall be read with the Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, and the Act passed in the fortieth year of the reign of Her late Majesty Queen Victoria, chaptered 58, as amended by this Act, and the powers by this Act conferred shall be deemed to be in addition to the powers conferred upon the said corporation by the said Acts and in the case of conflict between the provisions of this Act and the provisions of either of the said Acts, the provisions of this Act shall govern.

Commence-
ment of Act.

15. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Roman Catholic
Episcopal Corporation of the
Diocese of Hamilton.

1st Reading

2nd Reading

3rd Reading

MR. MARTIN (Hamilton, West)

(Private Bill)

No. 3

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Oshawa.

MR. SINCLAIR

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 3

1934

BILL

An Act respecting the City of Oshawa.

Preamble.

WHEREAS the corporation of the city of Oshawa has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Oshawa Act, 1934*.

Returns of
collectors'
rolls
confirmed.

2. That the returns of the collectors' rolls of the corporation of the city of Oshawa for the years 1927, 1928, 1929, 1930, 1931 and 1932 respectively which were made on the 1st day of December, 1933, are and each of them is hereby ratified and confirmed as a good and sufficient return thereof, and as having been made in accordance with the provisions of *The Assessment Act*.

Rev. Stat.,
c. 238.Appoint-
ment of city
adminis-
trator.

3. The council of the said corporation is hereby authorized and empowered by by-law to appoint and employ a general administrative head to be known as the "City Administrator" who shall have such general control and management of the administration of the city's government and affairs and perform such duties as the council shall by by-law define, limit and determine and shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over the same; and the city administrator shall hold office during the pleasure of the council and receive such salary as the council by by-law shall determine.

Assessment
roll
confirmed.

4. The assessment roll for the said corporation made in the year 1933 for the year 1934 is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Assessment Act*.

Rev. Stat.,
c. 238.

Election of
aldermen
by general
vote.

5.—(1) The council of the said corporation with the assent of the electors is hereby authorized and empowered to pass a by-law providing for the election of aldermen of the said corporation by general vote of the electors for a period of two years so that one-half of the aldermen shall retire at the end of each year and at the first election under such by-law the five aldermen obtaining the highest number of votes shall hold office for a period of two years and the remaining five shall hold office for one year only, and in either case until their respective successors are elected and take office.

Application
of
Rev. Stat.,
c. 233.

(2) In all other respects the provisions of *The Municipal Act* relating to the election and tenure of office of members of a municipal council shall apply.

Amalgama-
tion of
offices of
treasurer
and
collector.

6. The council of the said corporation is hereby authorized and empowered to pass a by-law to merge or amalgamate the offices of the treasurer of the said corporation and of the collector of taxes thereof.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Oshawa.

1st Reading

2nd Reading

3rd Reading

MR. SINCLAIR

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Oshawa.

MR. SINCLAIR

No. 3

1934

BILL

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Preamble.

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Rev. Stat.,
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ment of city
adminis-
trator.

3. The council of the said corporation is hereby authorized and empowered by by-law to appoint and employ a general administrative head to be known as the "City Administrator" who shall have such general control and management of the administration of the city's government and affairs and perform such duties as the council shall by by-law define, limit and determine and shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over the same; and the city administrator shall hold office during the pleasure of the council and receive such salary as the council by by-law shall determine.

Assessment
roll
confirmed.

4. The assessment roll for the said corporation made in the year 1933 for the year 1934 is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Assessment Act*.

Rev. Stat.,
c. 238.

5.—(1) The council of the said corporation with the assent of the electors is hereby authorized and empowered to pass a by-law providing for the election of aldermen of the said corporation by general vote of the electors for a period of two years so that one-half of the aldermen shall retire at the end of each year and at the first election under such by-law the five aldermen obtaining the highest number of votes shall hold office for a period of two years and the remaining five shall hold office for one year only, and in either case until their respective successors are elected and take office.

(2) In all other respects the provisions of *The Municipal Act* relating to the election and tenure of office of members of a municipal council shall apply.

6. The council of the said corporation is hereby authorized and empowered to pass a by-law to merge or amalgamate the offices of the treasurer of the said corporation and of the collector of taxes thereof.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Oshawa.

1st Reading

February 13th, 1934

2nd Reading

February 21st, 1934

3rd Reading

February 26th, 1934

MR. SINCLAIR

No. 4

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting The Industrial Mortgage and Trust
Company and The East Lambton Farmers'
Loan and Savings Company.

MR. McMILLEN

(PRIVATE BILL)

No. 4

1934

BILL

An Act respecting The Industrial Mortgage and Trust Company and The East Lambton Farmers' Loan and Savings Company.

Preamble.

WHEREAS The Industrial Mortgage and Trust Company and The East Lambton Farmers' Loan and Savings Company have by their petition represented that under an agreement dated the 2nd day of December, 1933, made between the said companies, The East Lambton Farmers' Loan and Savings Company has agreed to sell and The Industrial Mortgage and Trust Company has agreed to purchase the entire business, assets, rights, credits, effects, properties, good will and undertaking of The East Lambton Farmers' Loan and Savings Company under the terms set out in the said agreement, and by the said petition have prayed that an Act may be passed validating, legalizing and confirming the said agreement and authorizing and empowering the said companies to carry out, do and perform the things provided by the said agreement; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Industrial Mortgage and Trust Company Act, 1934*.

Agreement confirmed.

2. The agreement made between The Industrial Mortgage and Trust Company and The East Lambton Farmers' Loan and Savings Company dated the 2nd day of December, 1933, as set out in the schedule hereto is hereby confirmed and ratified and declared to be legal, valid and binding upon the said companies and the shareholders of each of them, and the said companies are and each of them is hereby authorized and empowered to do all acts necessary for the full and proper carrying out of the provisions of the said agreement.

Vesting of assets of East Lambton Company.

3. From and after the coming into force of this Act the undertaking and assets of The East Lambton Farmers' Loan

and Savings Company are declared to be vested in The Industrial Mortgage and Trust Company without any further conveyance, and The Industrial Mortgage and Trust Company shall be responsible for the liabilities of The East Lambton Farmers' Loan and Savings Company to the extent set forth in the said agreement.

Dissolution
of East
Lambton
Company.

4. The East Lambton Farmers' Loan and Savings Company is declared to be dissolved as of the date of the passing of this Act, except as may be necessary to give full effect to the said agreement.

How title
in assets of
East
Lambton
Company to
be
evidenced.

5. A copy of the said agreement duly compared and sworn to may be registered in the general register of any registry office in any registry division or in any land titles office of the Province of Ontario and, if this Act and the said registration are recited in any deed, conveyance, bill of sale, mortgage, chattel mortgage, assignment of mortgage or chattel mortgage, certificate of discharge of mortgage or chattel mortgage, assurance, lease, bond, release, discharge, power of attorney, or any other conveyance which it may be necessary for The Industrial Mortgage and Trust Company to execute to carry out the terms of the said agreement, it shall be sufficient evidence for all purposes of the transfer of title from The East Lambton Farmers' Loan and Savings Company to The Industrial Mortgage and Trust Company.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

This Agreement made this 2nd day of December A.D., 1933.

BETWEEN:

THE EAST LAMBTON FARMERS' LOAN AND SAVINGS
COMPANY (hereinafter called the "East Lambton"),
of the first part,

—and—

THE INDUSTRIAL MORTGAGE AND TRUST COMPANY
(hereinafter called the "Industrial"),
of the second part.

Whereas the Industrial has agreed to purchase and take over all the assets, goodwill and undertaking of the East Lambton upon the terms and conditions hereinafter set forth.

Now this Indenture witnesseth that in consideration of the mutual covenants and agreements herein contained, and of the considerations hereinafter set forth, the Parties hereto agree with each other as follows:

PART I

1. The East Lambton agrees to sell, and sells, to the Industrial, and the Industrial agrees to purchase, and purchases, the entire business, assets, rights, credits, effects and property, goodwill and undertaking of the East Lambton, including the right to use the name of East Lambton in connection with the business so purchased, and to represent the Industrial as carrying on such business in continuation of the East Lambton business and in succession thereto, and to use the words "formerly the East Lambton Farmers' Loan and Savings Company" or any other words indicating that the business is carried on in continuation of or in succession to the East Lambton, for the consideration hereinafter set out.

2. The consideration for the sale hereby made shall be: (a) The assumption by the Industrial of the liabilities of the East Lambton to the creditors of the East Lambton, and the Industrial shall pay and satisfy such liabilities in due course, and (b) The payment to the shareholders of the East Lambton of such sum of money as may be realized in accordance with the clauses hereinafter set out in Part II hereof, which payment is to be made in the manner set out in Part III hereof.

3. The Industrial shall accept such title to the properties, mortgages and other assets hereby agreed to be sold, and sold, as the East Lambton possesses.

4. Any right of action hereby assigned or transferred by the East Lambton to the Industrial may be exercised or enforced, and any proceedings which may have been commenced by the East Lambton in connection therewith at the date of ratification of this Agreement may be continued in the name of the Industrial or in the name of the East Lambton for the benefit of the Industrial.

5. This Agreement (save Paragraphs 6 and 7 which shall become operative immediately) is entered into provisionally and shall become operative if and when duly ratified by the shareholders of the East Lambton and the Industrial, and validated and confirmed by an Act of the Legislature of the Province of Ontario, but when ratified, validated and confirmed as aforesaid shall be deemed to be operative and effective as and from the 31st day of October, 1933.

6. Pending ratification, immediately upon this Agreement being executed the Industrial may enter into possession of the property and assets of the East Lambton and carry on the business of the East Lambton, and the East Lambton shall deliver possession of the property and assets aforesaid to the Industrial, and the Industrial may thereupon exercise the right hereinbefore set out in Paragraph 1 to represent the Industrial as carrying on business in continuation of the East Lambton business.

7. Should this Agreement not become operative by reason of the failure of the ratification, validating or confirmation required by Paragraph 5 hereof the East Lambton shall repay to the Industrial all moneys advanced or expended by it hereunder and all costs, fees, charges, expenses or disbursements paid or incurred by it in connection with the conduct and carrying on of the business of the East Lambton or of or incidental to this Agreement or preliminary thereto, including such fee as the Industrial may fix for the services rendered by it, together with interest thereon at 6½ per cent. per annum from the date of such advances, payments or disbursements as aforesaid, less the amount received from time to time in respect of the realization of any of the assets of the East Lambton, and upon payment to the Industrial of the amount payable to it under this clause, the Industrial shall deliver up possession of the assets of the East Lambton to the East Lambton.

8. The Industrial shall not be bound to continue the employment of any members of the staff of the East Lambton.

9. The East Lambton hereby constitutes and appoints the Industrial its true and lawful attorney for it and on its behalf and in its name to execute and deliver discharges, assignments of mortgages, deeds, transfers, assignments of bonds, shares or other instruments and other documents, either for the purpose of realizing on the assets of the East Lambton or for the better carrying out of this Agreement, and whether before or after the ratification of this Agreement; and notwithstanding that this Agreement may not receive the ratification and confirmation hereinbefore mentioned in Paragraph 5, the execution of such documents under said power of attorney shall nevertheless have full force and effect.

10. The Parties hereto shall procure this Agreement to be submitted for ratification and confirmation by their respective shareholders at meetings duly called for that purpose forthwith after the execution of these presents, and it is further agreed that application shall be made to the Legislature of the Province of Ontario for the enactment of an Act validating and confirming this Agreement.

PART II

11. Nothing in Part II of this Agreement shall in any way limit or restrict the effect of Part I of this Agreement, and in particular this Part shall not in any way detract from the title to the assets vested in the Industrial by the provisions of Part I, or limit or restrict the assumption of the liabilities of the East Lambton as set out in said Part I. It is the intention of the Parties hereto that the provisions of this Part II are for the purpose of providing a method of computation of the consideration payable to the shareholders of the East Lambton under the provisions of Section 2 (b) of the said Part I, and that such consideration shall be based on the actual realization of the assets of the East Lambton, and that the profit to the Industrial as a result of the purchase of the East Lambton shall be limited in the manner hereinafter set forth.

12. The Board of the Directors of the East Lambton shall appoint an Advisory Board consisting of three members, with whom the Industrial may consult as to the price and time and method of realization by the Industrial of any of the assets purchased under this Agreement, but the Industrial shall not be bound by the opinion or advice of such Advisory Board, until such time as the amount of the Surplus Assets available for distribution to shareholders shall be ascertained as hereinafter set out. Such Advisory Board, or the continuing members or member thereof, shall have power to appoint any other person or persons in place of any member of the Board resigning, dying or otherwise becoming incapable of acting.

13. The Industrial shall cause to be kept such accounts (hereinafter called for the purposes of this Agreement "the Realization Accounts") as shall show all receipts by way of income or capital that may come from the said assets, and also shall show the following items by way of expenditures or charges.

- (a) The amounts from time to time paid by the Industrial on the liabilities of the East Lambton. When the Industrial takes a deposit account of the East Lambton into its own books of account, such taking shall be deemed a payment of the balance due the depositor at the time of such taking, and it shall be so entered on the Realization Accounts. When a debenture-holder of the East Lambton accepts an obligation of the Industrial in exchange for, or in renewal of, his debenture, such debenture shall be deemed to be paid for the purpose of the Realization Accounts. In addition to such items, the amounts paid in cash upon the liabilities of the East Lambton shall be shown in such accounts.
- (b) Interest accruing due from the 31st day of October, 1933, on the debentures of the East Lambton until such time as the said debentures are paid by the Industrial, either in cash or otherwise, as aforesaid.
- (c) Interest on the deposit liabilities of the East Lambton until the same are paid either in cash or otherwise as aforesaid.
- (d) All legal costs, charges and expenses incurred or paid by either party hereto in connection with this purchase, or with this Agreement and its carrying out, and also with its ratification and confirmation.
- (e) All municipal and government taxes chargeable in connection with the business, assets or income of the East Lambton, whether due or accruing due at the date of this Agreement, or which may hereafter be levied or imposed with respect to such assets or income, or the business which the Industrial will carry on at the premises of the East Lambton until such time as the assets available for distribution to the shareholders of the East Lambton shall have been determined as hereinafter set out.
- (f) All salaries, fees and other incidental expenses that may be incurred by reason of the Industrial continuing to carry on the business of the East Lambton as a Forest branch of the Industrial, such outlays and expenses not to exceed the amount at which the same are running at the time of this Agreement, provided that if the Industrial shall close such Forest branch, it may charge in lieu of such salaries, fees and other expenses an amount as overhead that will not exceed the amount that it had been paying while operating the Forest branch.
- (g) The taking of an asset of the East Lambton into the books of the Industrial shall be deemed to be a realization and shall be entered in the Realization Accounts accordingly.
- (h) And generally such Realization Accounts shall show all such items of receipts and expenditures as would appear if the East Lambton were continuing to carry on business for the purpose of realizing their assets, and paying their liabilities, and in addition such accounts shall show:
- (i) Interest at the rate of six and one-half (6½) per cent. per annum on all moneys borrowed by the Industrial for the purpose of making payments upon the liabilities of the East Lambton.
- (j) An allowance to the Industrial at the rate of 1 per cent. per annum calculated upon the total liabilities of the East Lambton to its creditors as of the 31st day of October, 1933, until the 31st day of December, 1935; and thereafter, an allowance to the Industrial at the rate of 1 per cent. per annum of the amount of the liabilities of the East Lambton to its creditors as shown by the Realization Accounts as still unpaid, the allowance for each year to be computed on the amount of such liabilities as at the end of the preceding year. Provided that if the amounts of such allowances shall not aggregate the sum of \$15,000.00 from the date of this Agreement until all the liabilities of the East Lambton have been paid or

satisfied, then the Industrial shall be entitled to an additional allowance to bring the aggregate sum up to \$15,000.00, which shall be the minimum amount to which the Industrial shall be entitled hereunder. The Industrial shall be entitled to pay itself the aforesaid allowances out of the said assets at such time or times and in such manner as it sees fit.

14. As and when it appears from the said Realization Accounts that the liabilities to the creditors of the East Lambton have been paid or satisfied, and all other expenses, charges and disbursements, as set out in Paragraph 13, including the sums allowed to the Industrial, have also been paid and satisfied, then the balance of the assets of the East Lambton purchased under this Agreement, which will appear by these Realization Accounts to be still in the hands of the Industrial (hereinafter called the Surplus Assets) shall be dealt with as set out in Part III.

PART III

DISTRIBUTION OF SURPLUS ASSETS TO SHAREHOLDERS OF EAST LAMBTON

15. The Industrial shall proceed to realize upon the Surplus Assets for the benefit of the shareholders of the East Lambton at such times as and when instructed by the Advisory Board, and for such prices and upon such terms as the Advisory Board may fix.

16. The East Lambton shall furnish the Industrial with a list of its shareholders, verified by a statutory declaration of the proper officer, as of the day upon which this Agreement is validated and confirmed by the enactment of an Act of the Legislature of the Province of Ontario, and such list shall set out the names and addresses of the shareholders, together with the number of shares held by each one. From and after such last-mentioned day the East Lambton shall be dissolved except in so far as it is necessary to give full effect to this Agreement, and the shares of the East Lambton shall no longer be transferable. The shareholders of the East Lambton shall deliver up to the Industrial their share certificates and shall receive in lieu thereof a receipt for such certificate and an acknowledgment that the shareholder is a person entitled to share in the distribution of the Surplus Assets under this Agreement. This receipt and acknowledgment shall not be transferable.

17. The Industrial shall distribute the proceeds of the realization of such Surplus Assets rateably among the holders of such receipts and acknowledgments, in the proportion in which they held shares of the East Lambton; such distribution to be made at such times and in such manner as the Advisory Board shall decide. The Industrial shall be entitled to be paid a sum equal to 5 per cent. of the amount available for such distribution to be deducted by it before making the distribution.

18. Nothing in this Part III shall limit or interfere with the absolute right of the Industrial as purchasers and owners of the said assets of the East Lambton to hold, manage, deal with and realize thereon from time to time, in such manner and upon such terms and for such prices as it deems proper until such time as the provisions of Part III become applicable; and thereafter in so far as the Industrial shall act upon the instructions of the Advisory Board it shall not be responsible in any way to the shareholders of the East Lambton as to the prices, terms, or conditions of the sale of any of the Surplus Assets.

In witness whereof the Parties hereto have hereunto set their Corporate Seals.

SIGNED, SEALED AND DELIVERED
in the presence of

HELEN M. DOUGLAS
As to signatures of
John N. Douglas and
Duncan Whyte.

THE EAST LAMBTON FARMERS' LOAN AND
SAVINGS COMPANY.
JOHN N. DOUGLAS, *President*.
DUNCAN WHYTE, *Manager*.

AUDREY HAYWARD
As to signatures of
John Cowan and
W. R. Paul.

THE INDUSTRIAL MORTGAGE AND TRUST
COMPANY.
JOHN COWAN, *President*.
W. R. PAUL, *Manager*.

BILL

An Act respecting The Industrial Mortgage
and Trust Company and the East
Lambton Farmers' Loan and
Savings Company.

1st Reading

2nd Reading

3rd Reading

MR. McMILLEN.

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting The Industrial Mortgage and Trust
Company and The East Lambton Farmers'
Loan and Savings Company.

MR. McMILLEN

No. 4

1934

BILL

An Act respecting The Industrial Mortgage and Trust Company and The East Lambton Farmers' Loan and Savings Company.

Preamble.

WHEREAS The Industrial Mortgage and Trust Company and The East Lambton Farmers' Loan and Savings Company have by their petition represented that under an agreement dated the 2nd day of December, 1933, made between the said companies, The East Lambton Farmers' Loan and Savings Company has agreed to sell and The Industrial Mortgage and Trust Company has agreed to purchase the entire business, assets, rights, credits, effects, properties, good will and undertaking of The East Lambton Farmers' Loan and Savings Company under the terms set out in the said agreement, and by the said petition have prayed that an Act may be passed validating, legalizing and confirming the said agreement and authorizing and empowering the said companies to carry out, do and perform the things provided by the said agreement; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Industrial Mortgage and Trust Company Act, 1934*.

Agreement confirmed.

2. The agreement made between The Industrial Mortgage and Trust Company and The East Lambton Farmers' Loan and Savings Company dated the 2nd day of December, 1933, as set out in the schedule hereto is hereby confirmed and ratified and declared to be legal, valid and binding upon the said companies and the shareholders of each of them, and the said companies are and each of them is hereby authorized and empowered to do all acts necessary for the full and proper carrying out of the provisions of the said agreement.

Vesting of assets of East Lambton Company.

3. From and after the coming into force of this Act the undertaking and assets of The East Lambton Farmers' Loan

and Savings Company are declared to be vested in The Industrial Mortgage and Trust Company without any further conveyance, and The Industrial Mortgage and Trust Company shall be responsible for the liabilities of The East Lambton Farmers' Loan and Savings Company to the extent set forth in the said agreement.

4. The East Lambton Farmers' Loan and Savings Company is declared to be dissolved as of the date of the passing of this Act, except as may be necessary to give full effect to the said agreement. Dissolution of East Lambton Company.

5. A copy of the said agreement duly compared and sworn to may be registered in the general register of any registry office in any registry division or in any land titles office of the Province of Ontario and, if this Act and the said registration are recited in any deed, conveyance, bill of sale, mortgage, chattel mortgage, assignment of mortgage or chattel mortgage, certificate of discharge of mortgage or chattel mortgage, assurance, lease, bond, release, discharge, power of attorney, or any other conveyance which it may be necessary for The Industrial Mortgage and Trust Company to execute to carry out the terms of the said agreement, it shall be sufficient evidence for all purposes of the transfer of title from The East Lambton Farmers' Loan and Savings Company to The Industrial Mortgage and Trust Company. How title in assets of East Lambton Company to be evidenced.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE

This Agreement made this 2nd day of December A.D., 1933.

BETWEEN:

THE EAST LAMBTON FARMERS' LOAN AND SAVINGS
COMPANY (hereinafter called the "East Lambton"),
of the first part,

—and—

THE INDUSTRIAL MORTGAGE AND TRUST COMPANY
(hereinafter called the "Industrial"),
of the second part.

Whereas the Industrial has agreed to purchase and take over all the assets, goodwill and undertaking of the East Lambton upon the terms and conditions hereinafter set forth.

Now this Indenture witnesseth that in consideration of the mutual covenants and agreements herein contained, and of the considerations hereinafter set forth, the Parties hereto agree with each other as follows:

PART I

1. The East Lambton agrees to sell, and sells, to the Industrial, and the Industrial agrees to purchase, and purchases, the entire business, assets, rights, credits, effects and property, goodwill and undertaking of the East Lambton, including the right to use the name of East Lambton in connection with the business so purchased, and to represent the Industrial as carrying on such business in continuation of the East Lambton business and in succession thereto, and to use the words "formerly the East Lambton Farmers' Loan and Savings Company" or any other words indicating that the business is carried on in continuation of or in succession to the East Lambton, for the consideration hereinafter set out.

2. The consideration for the sale hereby made shall be: (a) The assumption by the Industrial of the liabilities of the East Lambton to the creditors of the East Lambton, and the Industrial shall pay and satisfy such liabilities in due course, and (b) The payment to the shareholders of the East Lambton of such sum of money as may be realized in accordance with the clauses hereinafter set out in Part II hereof, which payment is to be made in the manner set out in Part III hereof.

3. The Industrial shall accept such title to the properties, mortgages and other assets hereby agreed to be sold, and sold, as the East Lambton possesses.

4. Any right of action hereby assigned or transferred by the East Lambton to the Industrial may be exercised or enforced, and any proceedings which may have been commenced by the East Lambton in connection therewith at the date of ratification of this Agreement may be continued in the name of the Industrial or in the name of the East Lambton for the benefit of the Industrial.

5. This Agreement (save Paragraphs 6 and 7 which shall become operative immediately) is entered into provisionally and shall become operative if and when duly ratified by the shareholders of the East Lambton and the Industrial, and validated and confirmed by an Act of the Legislature of the Province of Ontario, but when ratified, validated and confirmed as aforesaid shall be deemed to be operative and effective as and from the 31st day of October, 1933.

6. Pending ratification, immediately upon this Agreement being executed the Industrial may enter into possession of the property and assets of the East Lambton and carry on the business of the East Lambton, and the East Lambton shall deliver possession of the property and assets aforesaid to the Industrial, and the Industrial may thereupon exercise the right hereinbefore set out in Paragraph 1 to represent the Industrial as carrying on business in continuation of the East Lambton business.

7. Should this Agreement not become operative by reason of the failure of the ratification, validating or confirmation required by Paragraph 5 hereof the East Lambton shall repay to the Industrial all moneys advanced or expended by it hereunder and all costs, fees, charges, expenses or disbursements paid or incurred by it in connection with the conduct and carrying on of the business of the East Lambton or of or incidental to this Agreement or preliminary thereto, including such fee as the Industrial may fix for the services rendered by it, together with interest thereon at 6½ per cent. per annum from the date of such advances, payments or disbursements as aforesaid, less the amount received from time to time in respect of the realization of any of the assets of the East Lambton, and upon payment to the Industrial of the amount payable to it under this clause, the Industrial shall deliver up possession of the assets of the East Lambton to the East Lambton.

8. The Industrial shall not be bound to continue the employment of any members of the staff of the East Lambton.

9. The East Lambton hereby constitutes and appoints the Industrial its true and lawful attorney for it and on its behalf and in its name to execute and deliver discharges, assignments of mortgages, deeds, transfers, assignments of bonds, shares or other instruments and other documents, either for the purpose of realizing on the assets of the East Lambton or for the better carrying out of this Agreement, and whether before or after the ratification of this Agreement; and notwithstanding that this Agreement may not receive the ratification and confirmation hereinbefore mentioned in Paragraph 5, the execution of such documents under said power of attorney shall nevertheless have full force and effect.

10. The Parties hereto shall procure this Agreement to be submitted for ratification and confirmation by their respective shareholders at meetings duly called for that purpose forthwith after the execution of these presents, and it is further agreed that application shall be made to the Legislature of the Province of Ontario for the enactment of an Act validating and confirming this Agreement.

PART II

11. Nothing in Part II of this Agreement shall in any way limit or restrict the effect of Part I of this Agreement, and in particular this Part shall not in any way detract from the title to the assets vested in the Industrial by the provisions of Part I, or limit or restrict the assumption of the liabilities of the East Lambton as set out in said Part I. It is the intention of the Parties hereto that the provisions of this Part II are for the purpose of providing a method of computation of the consideration payable to the shareholders of the East Lambton under the provisions of Section 2 (b) of the said Part I, and that such consideration shall be based on the actual realization of the assets of the East Lambton, and that the profit to the Industrial as a result of the purchase of the East Lambton shall be limited in the manner hereinafter set forth.

12. The Board of the Directors of the East Lambton shall appoint an Advisory Board consisting of three members, with whom the Industrial may consult as to the price and time and method of realization by the Industrial of any of the assets purchased under this Agreement, but the Industrial shall not be bound by the opinion or advice of such Advisory Board, until such time as the amount of the Surplus Assets available for distribution to shareholders shall be ascertained as hereinafter set out. Such Advisory Board, or the continuing members or member thereof, shall have power to appoint any other person or persons in place of any member of the Board resigning, dying or otherwise becoming incapable of acting.

13. The Industrial shall cause to be kept such accounts (hereinafter called for the purposes of this Agreement "the Realization Accounts") as shall show all receipts by way of income or capital that may come from the said assets, and also shall show the following items by way of expenditures or charges.

- (a) The amounts from time to time paid by the Industrial on the liabilities of the East Lambton. When the Industrial takes a deposit account of the East Lambton into its own books of account, such taking shall be deemed a payment of the balance due the depositor at the time of such taking, and it shall be so entered on the Realization Accounts. When a debenture-holder of the East Lambton accepts an obligation of the Industrial in exchange for, or in renewal of, his debenture, such debenture shall be deemed to be paid for the purpose of the Realization Accounts. In addition to such items, the amounts paid in cash upon the liabilities of the East Lambton shall be shown in such accounts.
- (b) Interest accruing due from the 31st day of October, 1933, on the debentures of the East Lambton until such time as the said debentures are paid by the Industrial, either in cash or otherwise, as aforesaid.
- (c) Interest on the deposit liabilities of the East Lambton until the same are paid either in cash or otherwise as aforesaid.
- (d) All legal costs, charges and expenses incurred or paid by either party hereto in connection with this purchase, or with this Agreement and its carrying out, and also with its ratification and confirmation.
- (e) All municipal and government taxes chargeable in connection with the business, assets or income of the East Lambton, whether due or accruing due at the date of this Agreement, or which may hereafter be levied or imposed with respect to such assets or income, or the business which the Industrial will carry on at the premises of the East Lambton until such time as the assets available for distribution to the shareholders of the East Lambton shall have been determined as hereinafter set out.
- (f) All salaries, fees and other incidental expenses that may be incurred by reason of the Industrial continuing to carry on the business of the East Lambton as a Forest branch of the Industrial, such outlays and expenses not to exceed the amount at which the same are running at the time of this Agreement, provided that if the Industrial shall close such Forest branch, it may charge in lieu of such salaries, fees and other expenses an amount as overhead that will not exceed the amount that it had been paying while operating the Forest branch.
- (g) The taking of an asset of the East Lambton into the books of the Industrial shall be deemed to be a realization and shall be entered in the Realization Accounts accordingly.
- (h) And generally such Realization Accounts shall show all such items of receipts and expenditures as would appear if the East Lambton were continuing to carry on business for the purpose of realizing their assets, and paying their liabilities, and in addition such accounts shall show:
- (i) Interest at the rate of six and one-half ($6\frac{1}{2}$) per cent. per annum on all moneys borrowed by the Industrial for the purpose of making payments upon the liabilities of the East Lambton.
- (j) An allowance to the Industrial at the rate of 1 per cent. per annum calculated upon the total liabilities of the East Lambton to its creditors as of the 31st day of October, 1933, until the 31st day of December, 1935; and thereafter, an allowance to the Industrial at the rate of 1 per cent. per annum of the amount of the liabilities of the East Lambton to its creditors as shown by the Realization Accounts as still unpaid, the allowance for each year to be computed on the amount of such liabilities as at the end of the preceding year. Provided that if the amounts of such allowances shall not aggregate the sum of \$15,000.00 from the date of this Agreement until all the liabilities of the East Lambton have been paid or

satisfied, then the Industrial shall be entitled to an additional allowance to bring the aggregate sum up to \$15,000.00, which shall be the minimum amount to which the Industrial shall be entitled hereunder. The Industrial shall be entitled to pay itself the aforesaid allowances out of the said assets at such time or times and in such manner as it sees fit.

14. As and when it appears from the said Realization Accounts that the liabilities to the creditors of the East Lambton have been paid or satisfied, and all other expenses, charges and disbursements, as set out in Paragraph 13, including the sums allowed to the Industrial, have also been paid and satisfied, then the balance of the assets of the East Lambton purchased under this Agreement, which will appear by these Realization Accounts to be still in the hands of the Industrial (hereinafter called the Surplus Assets) shall be dealt with as set out in Part III.

PART III

DISTRIBUTION OF SURPLUS ASSETS TO SHAREHOLDERS OF EAST LAMBTON

15. The Industrial shall proceed to realize upon the Surplus Assets for the benefit of the shareholders of the East Lambton at such times as and when instructed by the Advisory Board, and for such prices and upon such terms as the Advisory Board may fix.

16. The East Lambton shall furnish the Industrial with a list of its shareholders, verified by a statutory declaration of the proper officer, as of the day upon which this Agreement is validated and confirmed by the enactment of an Act of the Legislature of the Province of Ontario, and such list shall set out the names and addresses of the shareholders, together with the number of shares held by each one. From and after such last-mentioned day the East Lambton shall be dissolved except in so far as it is necessary to give full effect to this Agreement, and the shares of the East Lambton shall no longer be transferable. The shareholders of the East Lambton shall deliver up to the Industrial their share certificates and shall receive in lieu thereof a receipt for such certificate and an acknowledgment that the shareholder is a person entitled to share in the distribution of the Surplus Assets under this Agreement. This receipt and acknowledgment shall not be transferable.

17. The Industrial shall distribute the proceeds of the realization of such Surplus Assets rateably among the holders of such receipts and acknowledgments, in the proportion in which they held shares of the East Lambton; such distribution to be made at such times and in such manner as the Advisory Board shall decide. The Industrial shall be entitled to be paid a sum equal to 5 per cent. of the amount available for such distribution to be deducted by it before making the distribution.

18. Nothing in this Part III shall limit or interfere with the absolute right of the Industrial as purchasers and owners of the said assets of the East Lambton to hold, manage, deal with and realize thereon from time to time, in such manner and upon such terms and for such prices as it deems proper until such time as the provisions of Part III become applicable; and thereafter in so far as the Industrial shall act upon the instructions of the Advisory Board it shall not be responsible in any way to the shareholders of the East Lambton as to the prices, terms, or conditions of the sale of any of the Surplus Assets.

In witness whereof the Parties hereto have hereunto set their Corporate Seals.

SIGNED, SEALED AND DELIVERED
in the presence of

HELEN M. DOUGLAS
As to signatures of
John N. Douglas and
Duncan Whyte.

THE EAST LAMBTON FARMERS' LOAN AND
SAVINGS COMPANY.
JOHN N. DOUGLAS, *President*.
DUNCAN WHYTE, *Manager*.

AUDREY HAYWARD
As to signatures of
John Cowan and
W. R. Paul.

THE INDUSTRIAL MORTGAGE AND TRUST
COMPANY.
JOHN COWAN, *President*.
W. R. PAUL, *Manager*.

BILL

An Act respecting The Industrial Mortgage
and Trust Company and the East
Lambton Farmers' Loan and
Savings Company.

1st Reading

February 13th, 1934

2nd Reading

February 21st, 1934

3rd Reading

February 26th, 1934

MR. McMILLEN.

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Brantford.

MR. JUTTEN

(PRIVATE BILL)

No. 5

1934

BILL

An Act respecting the City of Brantford.

Preamble.

WHEREAS the corporation of the city of Brantford has by petition represented that the electors of the said corporation have approved of the council of the corporation being composed of the mayor and two aldermen for each ward, and of the creation of a public utilities commission to be entrusted with the control and management of all public utilities in the said city; that a condition of unemployment has existed in the said city for several years, and still continues, which has necessitated and will require the expenditure by the corporation of large sums of money; that to continue such unemployment relief it is imperative that the council of the said corporation shall have control of the maximum amount of the respective expenditures of moneys by all boards and commissions having the right to expend public moneys; that in connection with unemployment relief the said corporation during the summer of 1933 has expended the sum of \$29,712 in the construction of relief works, and has passed its by-law number 2409 to provide for the payment therefor by the issue of debentures during a period of ten years; that the said corporation should be enabled to issue debentures during a period of ten years, inclusive of the year 1935, in a sum not exceeding \$50,000 in each year, to meet accruing instalments of principal on outstanding debentures for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital; and that in the interest of economy and efficiency the placing of insurance upon all real and personal property belonging to the corporation, including all such property administered by any commission or board, and institutions to the support of which the corporation contributes should be done by and under the direction of the council; and the said corporation has by its said petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title. **1.** This Act may be cited as *The City of Brantford Act, 1934.*
- Composition of council. **2.** From and after the 1st day of January, 1935, the council of the corporation of the city of Brantford shall be composed of the mayor and two aldermen for each ward, unless and until a by-law for the purpose of making other provision in that respect shall have been passed in accordance with the provisions of *The Municipal Act.*
- Rev. Stat., c. 233. **3.** It shall be lawful for the council of the said corporation to provide by by-law for a commission, to be known as "The Public Utilities Commission of the City of Brantford" and to entrust such commission with the management and control of all public utilities of the said corporation, and the provisions of *The Public Utilities Act* shall apply to such commission, except that such by-law shall not require the assent of the municipal electors.
- Creation of public utilities commission. **4.** Notwithstanding anything to the contrary contained in *The Municipal Act*, or in any other Statute of the Province of Ontario, the council of the said corporation shall have control of the maximum amount of the respective expenditures of moneys by all boards and commissions in the city of Brantford, which are required to submit their estimates to the said council in accordance with the provisions of the respective statutes in that behalf, and each of such boards and commissions shall and shall be bound to maintain their expenditures within such respective amounts as the council shall provide in its yearly estimates.
- Council to control maximum expenditures of local boards and commissions. **5.** By-law number 2409 of the said corporation, passed on the twenty-third day of December, 1933, to authorize the issue of debentures for \$29,712 for the construction of certain relief works, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding on the said corporation, and the ratepayers thereof.
- Validation of By-law No. 2409 and debentures. **6.** The council of the said corporation may pass by-laws in any year during a period of ten years from and inclusive of the year 1935, to borrow sums not exceeding in any year \$50,000 and to issue debentures for a term not exceeding twenty years therefor for the payment of maturing instalments of principal upon outstanding instalment debentures of the said corporation for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital, and to levy during the period of the currency of the debentures a special general rate sufficient to meet the interest and principal thereof upon all the rateable property in the said municipality of public school supporters
- Issue of refunding debentures for certain purposes.

with respect to debentures to meet accruing instalments of principal and outstanding instalment debentures for the erection of public schools, and on all rateable property in the municipality with respect to such debentures to meet accruing instalments of principal on outstanding instalment debentures for the corporation's share of local improvements and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital.

Control of
council over
insurance on
corporate
property,
etc.

7. The council of the said corporation may pass by-laws to provide that the placing of insurance upon all real and personal property belonging to the corporation, including all property under the control and management of any public utilities commission, or other commission or board, and including all institutions to the support of which the corporation contributes, shall be done by and under the direction of the council.

Commence-
ment of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"
BY-LAW NUMBER 2409

OF

THE CORPORATION OF THE CITY OF BRANTFORD

To provide for borrowing \$29,712.00 on Debentures to pay for the construction of certain relief works.

1. Whereas the Corporation of the City of Brantford has expended the sum of \$29,712.00 in the construction of certain works to provide relief for unemployment;

2. And whereas it is necessary to borrow the said sum of \$29,712.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of five per cent. per annum, which is the amount of the debt intended to be created by this by-law;

3. And whereas it is expedient to make the principal of the said debt repayable in equal yearly sums during the period of ten years, together with interest at the rate of five per cent. per annum on the principal moneys from time to time outstanding;

4. And whereas the total amount required to be raised annually by special rate for the purpose of paying the principal of the said debt in equal annual instalments is the sum of \$2,971.20, and the amount required to pay the interest is set forth in Schedule "A" to this By-law;

5. And whereas the amount of the whole rateable property of the Municipality according to the last-revised assessment roll is \$28,176,495.00;

6. And whereas the amount of the existing debenture debt of the Municipality is the sum of \$5,671,532.38, of which no amount of principal or interest is in arrear;

Now therefore the Municipal Council of the Corporation of the City of Brantford enacts as follows:

1. For the purpose in the recitals mentioned debentures of the Corporation of the City of Brantford shall be issued in the aggregate principal sum of \$29,712.20 in sums of not less than \$50.00 each, bearing interest at the rate of five per cent. per annum payable semi-annually, and having coupons attached thereto for the payment of interest. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed, and the principal sum shall be payable in ten equal annual payments during the ten years next after the time when the same are issued, and the respective amounts of principal and interest payable in each year shall be the sum set forth in Schedule "A" to this by-law. Each of the said debentures shall be signed by the Mayor of the Corporation or by some person authorized by by-law to sign the same, and also by the Treasurer of the Corporation, and the Clerk of the Corporation shall attach thereto the corporate seal. Each coupon shall be signed by the Treasurer of the Corporation, but it shall be sufficient if the signature of the Treasurer be written, stamped, lithographed or engraved upon said coupons.

2. During the period of ten years following the issue of said debentures there shall be raised annually by special rate on all the rateable property in the said City of Brantford the sum of \$2,971.20 for the purpose of paying the equal instalments of principal which shall fall due in each year of said period, and in addition thereto there shall be raised in each year of said period of ten years by special rate sufficient therefor on all the rateable property in the municipality the sum set forth for each respective year in Schedule "A" hereto attached as being required for the payment of interest

upon the said debentures, making in all the total annual payment set forth in said Schedule "A" hereto attached in each of the years of said period.

3. The debentures to be issued hereunder shall contain or have endorsed upon them a provision to the following effect: "This debenture or any interest therein shall not, after a certificate of ownership has been endorsed thereon by the Treasurer of this Corporation, be transferable, except by entry by the Treasurer or his deputy in the Debenture Registry Book of the Corporation at the City of Brantford."

4. The proceeds of the said debentures shall be used to reimburse the Corporation of the City of Brantford for the expenditures referred to in the recitals hereto and/or for the payment of loans and interest thereon obtained for said purpose.

5. The said Mayor and Treasurer may cause the said debentures, or a sufficient amount thereof, to be sold or hypothecated, or may authorize the said debentures or any portion thereof to be purchased or taken as and for a temporary or permanent investment of the sinking fund of the Municipality, if any, and the proceeds thereof less the expenses of negotiation and sale thereof shall be applied for the purpose for which said debentures are issued, and no other.

6. The Mayor and Treasurer of this Corporation may, pending the issue of said debentures, borrow moneys upon the credit of the Municipality for the purposes herein mentioned, such loans to be repaid out of the proceeds of said debentures when the same shall be issued and sold.

7. This By-law shall take effect from and immediately after the final passing thereof.

Passed this twenty-third day of December, 1933.

M. M. MACBRIDE,
Mayor.

E. J. CAMPBELL,
Clerk.

Schedule "A" referred to in By-law No. 2409.

10 YEARS—5 % SEMI-ANNUALLY

Year	Interest	Principal	Total Annual Payment
1.	\$1,485 60	\$2,971 20	\$4,456 80
2.	1,337 04	2,971 20	4,308 24
3.	1,188 48	2,971 20	4,159 68
4.	1,038 92	2,971 20	4,010 12
5.	891 36	2,971 20	3,862 56
6.	742 80	2,971 20	3,714 00
7.	594 24	2,971 20	3,565 44
8.	445 68	2,971 20	3,416 88
9.	297 12	2,971 20	3,268 32
10.	148 56	2,971 20	3,119 76
	<hr/> \$8,169 80	<hr/> \$29,712 00	<hr/> \$37,881 80

BILL

An Act respecting the City of Brantford.

1st Reading

2nd Reading

3rd Reading

MR. JUTTEN

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Brantford.

MR. JUTTEN

(PRIVATE BILL.)

No. 5

1934

BILL

An Act respecting the City of Brantford.

Preamble.

WHEREAS the corporation of the city of Brantford has by petition represented that the electors of the said corporation have approved of the council of the corporation being composed of the mayor and two aldermen for each ward, and of the creation of a public utilities commission to be entrusted with the control and management of all public utilities in the said city; that a condition of unemployment has existed in the said city for several years, and still continues, which has necessitated and will require the expenditure by the corporation of large sums of money; that in connection with unemployment relief the said corporation during the summer of 1933 has expended the sum of \$29,712 in the construction of relief works, and has passed its by-law number 2409 to provide for the payment therefor by the issue of debentures during a period of ten years; that the said corporation should be enabled to issue debentures during a period of three years, inclusive of the year 1935, in a sum not exceeding \$50,000 in each year, to meet accruing instalments of principal on outstanding debentures for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital; and that in the interest of economy and efficiency the placing of insurance upon all real and personal property belonging to the corporation, including all such property administered by any commission or board, and institutions to the support of which the corporation contributes should be done by and under the direction of the council; and the said corporation has by its said petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Brantford Act, 1934*.

Composition of council.

2. From and after the 1st day of January, 1935, the council of the corporation of the city of Brantford shall be composed of the mayor and two aldermen for each ward, unless and until a by-law for the purpose of making other provision in that respect shall have been passed in accordance with the provisions of *The Municipal Act*.

Rev. Stat., c. 233.

Creation of public utilities commission.

3. It shall be lawful for the council of the said corporation to provide by by-law for a commission, to be known as "The Public Utilities Commission of the City of Brantford" and to entrust such commission with the management and control of all public utilities of the said corporation, and the provisions of *The Public Utilities Act* shall apply to such commission, except that such by-law shall not require the assent of the municipal electors.

Rev. Stat., c. 249.

Validation of By-law No. 2409 and debentures.

4. By-law number 2409 of the said corporation, passed on the twenty-third day of December, 1933, to authorize the issue of debentures for \$29,712 for the construction of certain relief works, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding on the said corporation, and the ratepayers thereof.

Issue of refunding debentures for certain purposes.

5. The council of the said corporation may pass by-laws in any year during a period of three years from and inclusive of the year 1935, to borrow sums not exceeding in any year \$50,000 and to issue debentures for a term not exceeding twenty years therefor for the payment of maturing instalments of principal upon outstanding instalment debentures of the said corporation for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital, and to levy during the period of the currency of the debentures a special general rate sufficient to meet the interest and principal thereof upon all the rateable property in the said municipality of public school supporters with respect to debentures to meet accruing instalments of principal and outstanding instalment debentures for the erection of public schools, and on all rateable property in the municipality with respect to such debentures to meet accruing instalments of principal on outstanding instalment debentures for the corporation's share of local improvements and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Brantford.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. JUTTEN

*(Reprinted as amended by the Private
Bills Committee.)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Brantford.

MR. JUTTEN

No. 5

1934

BILL

An Act respecting the City of Brantford.

Preamble.

WHEREAS the corporation of the city of Brantford has by petition represented that the electors of the said corporation have approved of the council of the corporation being composed of the mayor and two aldermen for each ward, and of the creation of a public utilities commission to be entrusted with the control and management of all public utilities in the said city; that a condition of unemployment has existed in the said city for several years, and still continues, which has necessitated and will require the expenditure by the corporation of large sums of money; that in connection with unemployment relief the said corporation during the summer of 1933 has expended the sum of \$29,712 in the construction of relief works, and has passed its by-law number 2409 to provide for the payment therefor by the issue of debentures during a period of ten years; that the said corporation should be enabled to issue debentures during a period of three years, inclusive of the year 1935, in a sum not exceeding \$50,000 in each year, to meet accruing instalments of principal on outstanding debentures for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital; and the said corporation has by its said petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Brantford Act, 1934*.

Composition of council.

2. From and after the 1st day of January, 1935, the council of the corporation of the city of Brantford shall be composed of the mayor and two aldermen for each ward, unless and until a by-law for the purpose of making other provision in that respect shall have been passed in accordance with the provisions of *The Municipal Act*.

Rev. Stat.,
c. 233.

3. It shall be lawful for the council of the said corporation to provide by by-law for a commission, to be known as "The Public Utilities Commission of the City of Brantford" and to entrust such commission with the management and control of all public utilities of the said corporation, and the provisions of *The Public Utilities Act* shall apply to such commission, except that such by-law shall not require the assent of the municipal electors.

Creation of
public
utilities
commission.

Rev. Stat.,
c. 249.

4. By-law number 2409 of the said corporation, passed on the twenty-third day of December, 1933, to authorize the issue of debentures for \$29,712 for the construction of certain relief works, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding on the said corporation, and the ratepayers thereof.

Validation
of By-law
No. 2409 and
debentures.

5. The council of the said corporation may pass by-laws in any year during a period of three years from and inclusive of the year 1935, to borrow sums not exceeding in any year \$50,000 and to issue debentures for a term not exceeding twenty years therefor for the payment of maturing instalments of principal upon outstanding instalment debentures of the said corporation for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital, and to levy during the period of the currency of the debentures a special general rate sufficient to meet the interest and principal thereof upon all the rateable property in the said municipality of public school supporters with respect to debentures to meet accruing instalments of principal and outstanding instalment debentures for the erection of public schools, and on all rateable property in the municipality with respect to such debentures to meet accruing instalments of principal on outstanding instalment debentures for the corporation's share of local improvements and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital.

Issue of
refunding
debentures
for certain
purposes.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

BILL

An Act respecting the City of Brantford.

1st Reading

February 13th, 1934

2nd Reading

February 23rd, 1934

3rd Reading

March 5th, 1934

MR. TUTTEN

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Etobicoke.

MR. PRICE (York West)

(PRIVATE BILL)

No. 6

1934

BILL

An Act respecting the Township of Etobicoke.

Preamble.

WHEREAS the corporation of the township of Etobicoke has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Etobicoke Act, 1934*.

By-law
No. 4052
and
debentures
confirmed.

2. By-law number 4052 of the corporation of the township of Etobicoke passed on the 10th day of July, 1933, to authorize the borrowing of \$37,585 upon debentures to pay for lands, the erection of buildings and the construction of a main to connect the said lands and buildings with the water system of the said township, and set out as schedule "A" hereto, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Confirma-
tion of tax
sales and
conveyances.

3.—(1) All sales of land within the township of Etobicoke made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of Etobicoke or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein,

except taxes accruing after those for non-payment of which the land was sold.

Except
pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

1923,
c. 62, s. 5,
amended.

4. Section 5 of *The Township of Etobicoke Act, 1923*, is amended by adding thereto the following subsection:

(2) Notwithstanding anything contained in subsection 1 the sale and distribution of water may be carried on as one system.

1923, c. 62,
s. 16, subs. 1,
clause a,
amended.

5. Clause a of subsection 1 of section 16 of *The Township of Etobicoke Act, 1923*, is amended by inserting before the word "sewers" in the first line the word "sanitary" and by inserting before the word "sewerage" in the second line of the said clause the word "sanitary."

Agreement
with
National
Silicates Co.
for fixed
water rates
confirmed.

6. The agreement entered into by the said corporation with National Silicates Limited dated the 8th day of April, 1933, providing for charges for water rates and other matters as set out in schedule "B" hereto is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company its successors and assigns.

1924,
c. 95, s. 3,
amended.

7. Section 3 of *The Township of Etobicoke Act, 1924*, is amended by adding at the end thereof the following words: "and raise and levy the same by a special rate on all the real property in such area or section."

Commence-
ment of Act.

8. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934.

SCHEDULE "A"

TOWNSHIP OF ETOBICOKE

BY-LAW No. 4052

A BY-LAW to provide for borrowing \$37,585.00 upon debentures for the purposes hereinafter mentioned.

Whereas pursuant to Construction By-laws Numbers 3781 and 3782, certain watermains, buildings and lands have been constructed and acquired under the provisions of *The Township of Etobicoke Act, 1923*, and amendments thereto, for the purpose of extending the system of waterworks for the benefit of water areas Nos. 1, 2, 3, 4, 5, 7, 8, 10, 11, 12, 13, 14, 15 and 16;

And whereas it is necessary to borrow the sum of \$37,585.00, being the area's portion of the cost of all of the said works, on the credit of the Corporation, and to issue debentures therefor, bearing interest at the rate of Five and one-half per cent. per annum, which is the amount of the debt intended to be created by this By-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of thirty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas the amount of the whole rateable property of the Municipality, according to the last-revised assessment roll is \$6,762,225.00.

And whereas the debenture debt of the Corporation, inclusive of local improvement and school debts secured by special rates or assessments, is \$1,853,625.52 and no part of the principal or interest is in arrears;

And whereas the Department of Health has by its certificate approved of the construction of the work;

Therefore the Municipal Council of the Corporation of the Township of Etobicoke enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$37,585.00 and debentures shall be issued therefor in sums of not less than \$100.00 each, bearing interest at the rate of Five and one-half per cent. per annum payable half yearly and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within two years and shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as set out in Schedule "A" hereto annexed.

3. The Reeve of the Corporation shall sign and issue the debentures and the debentures and interest coupons shall be signed by the Treasurer of the Corporation, and the debentures shall be sealed with the seal of the Corporation and shall be payable at the Royal Bank of Canada in the Unincorporated Village of Islington in the said Municipality or at any branch of the bank in the City of Toronto.

4. During thirty years, the currency of the said debentures, the sum of \$2,586.05 shall be raised annually for the payment of the said debt and the interest thereon as follows:

The sum of \$10.32 shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the real property in Water Area No. 7 at the same time and in the same manner as other rates; the sum of \$2,575.73 shall be levied and raised annually by a special

rate sufficient therefor over and above all other rates on all the real property in Water Area Nos. 1, 2, 3, 4, 5, 7, 8, 10, 11, 12, 13, 14, 15 and 16 at the same time and in the same manner as other rates.

5. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

6. This By-law shall take effect on the day of the final passing thereof.

Passed this 10th day of July, 1933.

WM. CLARKSON,
Reeve.

S. BARRATT,
Clerk.

Schedule "A" to By-law 4052

Year	Interest	Principal	Total
1.....	\$2,067 17	\$518 88	\$2,586 05
2.....	2,038 64	547 41	2,586 05
3.....	2,008 53	577 52	2,586 05
4.....	1,976 77	609 28	2,586 05
5.....	1,943 25	642 80	2,586 05
6.....	1,907 90	678 15	2,586 05
7.....	1,870 60	715 45	2,586 05
8.....	1,831 25	754 80	2,586 05
9.....	1,789 74	796 31	2,586 05
10.....	1,745 94	840 11	2,586 05
11.....	1,699 74	886 31	2,586 05
12.....	1,650 99	935 06	2,586 05
13.....	1,599 56	986 49	2,586 05
14.....	1,554 30	1,040 75	2,586 05
15.....	1,488 06	1,097 99	2,586 05
16.....	1,427 67	1,158 38	2,586 05
17.....	1,363 96	1,222 09	2,586 05
18.....	1,296 75	1,289 30	2,586 05
19.....	1,225 84	1,360 21	2,586 05
20.....	1,151 02	1,435 03	2,586 05
21.....	1,072 10	1,513 95	2,586 05
22.....	988 83	1,597 22	2,586 05
23.....	900 98	1,685 07	2,586 05
24.....	808 30	1,777 75	2,586 05
25.....	710 53	1,875 52	2,586 05
26.....	607 37	1,978 68	2,586 05
27.....	498 55	2,087 50	2,586 05
28.....	383 73	2,202 32	2,586 05
29.....	262 61	2,323 44	2,586 05
30.....	134 82	2,451 23	2,586 05
	<hr/>	<hr/>	<hr/>
	\$39,996 50	\$37,585 00	\$77,581 50

SCHEDULE "B"

Memorandum of Agreement made (in triplicate) this 8th day of April, A.D. 1933.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF ETOBICOKE
(hereinafter called the "Township"),

of the first part,

—and—

NATIONAL SILICATES LIMITED, a Corporation
incorporated under *The Companies Act* (Canada)
(hereinafter called the "Company"),

of the second part.

Whereas the Township desires to have the Company establish a factory in the Township, and the Company has purchased certain lands situate at the southeast corner of Horner Avenue and Kipling Avenue in the Township for the purpose of establishing a factory thereon, and the Township has agreed as hereinafter set forth.

Now this Agreement witnesseth that the Township agrees with the Company that during the period of ten years from the First day of August, 1933, the Township shall furnish to the Company water required by the Company for use in connection with its business upon the said premises at a price not to exceed thirteen cents per thousand gallons. Provided, however, that the Company shall be entitled to the benefit if any lower rate granted to any industrial consumer within a radius of one mile from the Company's plant.

The Township further agrees with the Company that it will forthwith at its own expense construct sanitary sewer connections (satisfactory to the Company) and necessary watermains to the property line of the Company's land on either Horner Avenue or Kipling Avenue, subject to regular connection charges.

This Agreement shall continue in force until the First day of August, 1943, unless the Company prior to that date ceases to carry on a manufacturing plant on the said lands. Should the Company cease to carry on a manufacturing plant on the said lands prior to the said date this Agreement shall thereupon terminate.

These presents shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns respectively.

In witness whereof the parties have hereunto affixed their hands and Corporate Seals by their duly authorized officers.

SIGNED, SEALED AND DELIVERED
in the presence of

"W. C. CLARKSON,"
Reeve.

"S. BARRATT,"
Clerk.

BILL

An Act respecting the Township of
Etobicoke.

1st Reading

2nd Reading

3rd Reading

M.R. PRICE (York West)

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Etobicoke.

MR. PRICE (York West)

(PRIVATE BILL)

No. 6

1934

BILL

An Act respecting the Township of Etobicoke.

Preamble.

WHEREAS the corporation of the township of Etobicoke has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Etobicoke Act, 1934.*

By-law
No. 4052
and
debentures
confirmed.

2. By-law number 4052 of the corporation of the township of Etobicoke passed on the 10th day of July, 1933, to authorize the borrowing of \$37,585 upon debentures to pay for lands, the erection of buildings and the construction of a main to connect the said lands and buildings with the water system of the said township, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Confirma-
tion of tax
sales and
conveyances.

3.—(1) All sales of land within the township of Etobicoke made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of Etobicoke or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein,

except taxes accruing after those for non-payment of which the land was sold.

Except
pending
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

1923,
c. 62, s. 5,
amended.

4. Section 5 of *The Township of Etobicoke Act, 1923*, is amended by adding thereto the following subsection:


(2) Notwithstanding anything contained in subsection 1 the sale and distribution of water may be carried on as one system.

1923, c. 62,
s. 16, subs. 1,
clause a,
amended.

5. Clause *a* of subsection 1 of section 16 of *The Township of Etobicoke Act, 1923*, is amended by inserting before the word "sewers" in the first line the word "sanitary" and by inserting before the word "sewerage" in the second line of the said clause the word "sanitary."



By-law
No. 4014
confirmed.

6. By-law number 4014 of the said corporation, passed on the 13th day of March, 1933, to provide a fixed assessment on certain lands owned by National Silicates Limited is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. 

1924,
c. 95, s. 3,
amended.

7. Section 3 of *The Township of Etobicoke Act, 1924*, is amended by adding at the end thereof the following words: "and raise and levy the same by a special rate on all the real property in such area or section."

Commence-
ment of Act.

8. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the Township of
Etobicoke.

1st Reading

February 6th, 1934

2nd Reading

3rd Reading

MR. PRICE (York West)

(*Reprinted as amended by the Private
Bills Committee.*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Etobicoke.

MR. PRICE (York West)

No. 6

1934

BILL

An Act respecting the Township of Etobicoke.

Preamble.

WHEREAS the corporation of the township of Etobicoke has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Etobicoke Act, 1934*.

By-law
No. 4052
and
debentures
confirmed.

2. By-law number 4052 of the corporation of the township of Etobicoke passed on the 10th day of July, 1933, to authorize the borrowing of \$37,585 upon debentures to pay for lands, the erection of buildings and the construction of a main to connect the said lands and buildings with the water system of the said township, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Confirma-
tion of tax
sales and
conveyances.

3.—(1) All sales of land within the township of Etobicoke made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of Etobicoke or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein,

except taxes accruing after those for non-payment of which the land was sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Except pending litigation.

4. Section 5 of *The Township of Etobicoke Act, 1923*, is amended by adding thereto the following subsection: 1923, c. 62, s. 5, amended.

(2) Notwithstanding anything contained in subsection 1 the sale and distribution of water may be carried on as one system.

5. Clause *a* of subsection 1 of section 16 of *The Township of Etobicoke Act, 1923*, is amended by inserting before the word "sewers" in the first line the word "sanitary" and by inserting before the word "sewerage" in the second line of the said clause the word "sanitary." 1923, c. 62, s. 16, subs. 1, clause *a*, amended.

6. By-law number 4014 of the said corporation, passed on the 13th day of March, 1933, to provide a fixed assessment on certain lands owned by National Silicates Limited is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law No. 4014 confirmed.

7. Section 3 of *The Township of Etobicoke Act, 1924*, is amended by adding at the end thereof the following words: 1924, c. 95, s. 3, amended.
"and raise and levy the same by a special rate on all the real property in such area or section."

8. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934. Commencement of Act

BILL

An Act respecting the Township of
Etobicoke.

1st Reading

February 6th, 1934

2nd Reading

February 16th, 1934

3rd Reading

February 26th, 1934

MR. PRICE (York West)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Prescott.

MR. SANDERSON

(PRIVATE BILL)

No. 7

1934

BILL

An Act respecting the Town of Prescott.

Preamble.

WHEREAS the corporation of the town of Prescott has by its petition represented that it is desirable to have its by-law number 921, passed on the 1st day of August, 1933, providing for the construction of certain concrete pavement, validated to cure certain irregularities in procedure; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Prescott Act, 1934*.

By-law
No. 921
confirmed.

2. By-law number 921 of the corporation of the town of Prescott passed on the 1st day of August, 1933, providing for the construction of certain concrete pavement therein described is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

CONSTRUCTION BY-LAW No. 921

BY-LAW to authorize the construction of a 20-foot strip of Cement Pavement on Edward Street from north side of King Street to Canadian National Railways right-of-way in the Town of Prescott, Ontario.

Whereas it has been duly declared by a declaratory by-law or resolution passed by a vote of two-thirds of all the members of the Council that it is desirable that the construction of the work hereinafter described shall be undertaken as a Local Improvement, and

Whereas notice of the intention of the Council to undertake such work was duly published more than 21 days prior to the passing of this by-law;

Therefore the Municipal Council of the Corporation of the Town of Prescott enacts as follows:

1. That a 20-foot cement pavement be constructed on Edward Street from north side of King Street to Canadian National Railways right-of-way, as a local improvement under the provisions of *The Local Improvement Act*.

2. That private drain connections and water service pipes be constructed as a local improvement under the provisions of *The Local Improvement Act* applicable to such work from the sewer or watermain on Edward Street from the north side of King Street to the Canadian National Railways right-of-way to the street line on both sides of the street, and that the cost of each private drain connection or water service pipe shall be specially assessed upon the particular lot for or in connection with which it is constructed by an equal special rate per foot of the frontage of such lot, and the provisions of Subsection (4) of Section 3 shall apply.

3. That E. R. Blackwell, the Engineer of the Corporation, do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of the contract for the execution of the work.

4. The work shall be carried on and executed under the superintendence and according to the directions and orders of such Engineer.

5. The Mayor and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with such person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.

6. The Treasurer may (subject to the approval of the Council) agree with any Bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

7. A special assessment shall be paid by 20 annual instalments.

8. The debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest at such rate as this Council may determine and be made payable within 20 years on the Sinking Fund plan, and in settling the sum to be raised annually to pay the debt, the rate of interest on investments shall not be estimated at more than 4 per cent. per annum.

9. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the Special Assessment Roll has been certified by the Clerk, and at any time thereafter by the payment of such sum as when invested

at 4 per cent. per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.

Passed by a vote of two-thirds of all the members of the Council this 1st day of August, 1933.

W. J. RANSON,
Clerk.

F. B. PATTERSON,
Mayor.

BILL

An Act respecting the Town of Prescott.

1st Reading

2nd Reading

3rd Reading

MR. SANDERSON

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Prescott.

MR. SANDERSON

No. 7

1934

BILL

An Act respecting the Town of Prescott.

Preamble.

WHEREAS the corporation of the town of Prescott has by its petition represented that it is desirable to have its by-law number 921, passed on the 1st day of August, 1933, providing for the construction of certain concrete pavement, validated to cure certain irregularities in procedure; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Prescott Act, 1934*.

By-law
No. 921
confirmed.

2. By-law number 921 of the corporation of the town of Prescott passed on the 1st day of August, 1933, providing for the construction of certain concrete pavement therein described is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Prescott.

1st Reading

February 6th, 1934

2nd Reading

February 16th, 1934

3rd Reading

February 26th, 1934

MR. SANDERSON

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Ojibway.

MR. REID

(PRIVATE BILL)

No. 8

1934

BILL

An Act respecting the Town of Ojibway.

Preamble.

WHEREAS the corporation of the town of Ojibway has by its petition represented that it is desirable and in the interest of the said corporation that the terms of office of the councillors as now fixed by the Acts relating to the said town should be further extended, and that it is in the interest of the said corporation and the inhabitants and ratepayers of the said town that it should become separated from the county of Essex for municipal purposes; and whereas the said corporation has prayed that an Act may be passed for the said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.

Short title.

1. This Act may be cited as *The Town of Ojibway Act, 1934*.

1913,
c. 108, s. 3,
subs. 3,
re-enacted.

2.—(1) Subsection 3 of section 3 of the Act passed in the year 1913 and chaptered 108 as amended by subsequent Acts relating to the said town is repealed and the following substituted therefor:

Appoint-
ment of
Mayor.

(3) The council shall on the second Monday in January in every year subsequent to the year 1934, appoint one of themselves mayor, to hold office for the current year until his successor is appointed, and has taken the declaration of office.

1913,
c. 108, s. 3,
subs. 4,
amended.

(2) Subsection 4 of the said section 3, as amended by subsequent Acts relating to the said town, is further amended by inserting after the figures "1934" in the second line, the words "and thereafter from year to year."

1913,
c. 108, s. 3,
subs. 6,
amended.

(3) Subsection 6 of the said section 3 is amended by striking out the words "prior to the 31st day of December, 1916," where they occur in the first and second lines.

1913,
c. 108, s. 4,
re-enacted.

(4) Section 4 of the said Act, as amended by subsequent Acts relating to the said town, is repealed and the following substituted therefor:

County
council
representa-
tion.

4. So long as the said town remains part of the county of Essex for municipal purposes it shall be represented in the council of the said county by the mayor only who as a member of such county council shall possess and exercise the same rights and powers as the reeve of a municipality.

1913,
c. 108, s. 5,
amended.

(5) Section 5 of the said Act, as amended by subsequent Acts relating to the said town, is further amended by striking out the words and figures "before the 31st day of December, 1934," in the first and second lines.

Town
separated
from
county.

3. That from and after the 31st day of December, 1934, the said corporation of the town of Ojibway shall be separated from the county of Essex for municipal purposes.

Adjustment
of expenses
of adminis-
tration of
justice, etc.

4. The said town shall be a town separate from the county of Essex, and the annual amount which the town shall have to pay to the county for the expenses of the administration of justice, the use of the jail and the erection and repairs of the registry office, and for providing books for same, and for services for which the county is liable, as required by and under the provisions of any Act respecting registration of instruments relating to land, as well as for any existing debt of the county, shall be adjusted as provided for in *The Municipal Act*, and after the passing of this Act an agreement or an award may be made in accordance with the provisions of *The Municipal Act*, in that behalf, to ascertain the amount to be paid by the said town to the said county for the expenses of the administration of justice, the use of the jail, and the erection and repairs of the registry office, and for providing books for same, and for services for which the county is liable, as required by and under the provisions of any Act respecting the registration of instruments relating to lands.

Rev. Stat.,
c. 233.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

BILL

An Act respecting the Town of Ojibway.

1st Reading

2nd Reading

3rd Reading

MR. REID

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Ojibway.

MR. REID

(PRIVATE BILL)

No. 8

1934

BILL

An Act respecting the Town of Ojibway.

Preamble.

WHEREAS the corporation of the town of Ojibway has by its petition represented that it is desirable and in the interest of the said corporation that the terms of office of the councillors as now fixed by the Acts relating to the said town should be further extended, and that it is in the interest of the said corporation and the inhabitants and ratepayers of the said town that it should become separated from the county of Essex for municipal purposes; and whereas the said corporation has prayed that an Act may be passed for the said purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.

Short title.

1. This Act may be cited as *The Town of Ojibway Act, 1934*.

1913,
c. 108, s. 3,
subs. 3,
re-enacted.

2.—(1) Subsection 3 of section 3 of the Act passed in the year 1913 and chaptered 108 as amended by subsequent Acts relating to the said town is repealed and the following substituted therefor:

Appoint-
ment of
Mayor.

(3) The council shall on the second Monday in January in every year subsequent to the year 1934, appoint one of themselves mayor, to hold office for the current year until his successor is appointed, and has taken the declaration of office.

1913,
c. 108, s. 3,
subs. 4,
amended.

(2) Subsection 4 of the said section 3, as amended by subsequent Acts relating to the said town, is further amended by inserting after the figures "1934" in the second line, the words "and thereafter from year to year."

1913,
c. 108, s. 3,
subs. 6,
amended.

(3) Subsection 6 of the said section 3 is amended by striking out the words "prior to the 31st day of December, 1916," where they occur in the first and second lines.

1913,
c. 108, s. 4,
re-enacted.

(4) Section 4 of the said Act, as amended by subsequent Acts relating to the said town, is repealed and the following substituted therefor:

County
council
representa-
tion.

4. So long as the said town remains part of the county of Essex for municipal purposes it shall be represented in the council of the said county by the mayor only who as a member of such county council shall possess and exercise the same rights and powers as the reeve of a municipality.

1913,
c. 108, s. 5,
amended.

(5) Section 5 of the said Act, as amended by subsequent Acts relating to the said town, is further amended by striking out the words and figures "before the 31st day of December, 1934," in the first and second lines.

Equalized
assessment.

3.—(1) During the period of ten years commencing with the 1st day of January, 1935, the equalized assessment of all property in the town of Ojibway which is rateable for the purposes of the county of Essex shall in each year of the said period be fixed or determined as follows:

Existing
buildings.

- (a) The equalized assessment of all buildings, structures and assessable fixed machinery now erected, placed, affixed and existing on any land in the said town and of all other rateable property in the said town except land, is fixed at the aggregate sum of \$300,000;

Land.

- (b) The equalized assessment of all land in the said town, exclusive of any buildings, structures and assessable fixed machinery now erected, placed, affixed and existing on any of such land, shall be fixed and determined by comparison with and on the same basis of valuation as other lands in the said county adjacent to the said town which are similar in character are valued and equalized for county purposes;

New
buildings.

- (c) The equalized assessment of all buildings, structures and assessable fixed machinery hereafter erected, placed or affixed during the said period of ten years on any land in the said town shall be fixed and determined in accordance with the provisions of *The Assessment Act*;

Accretion
to
equalization.


- (d) If during the said period of ten years industrial activity in the said town arises so that any of the buildings, structures or fixed assessable machinery referred to in clause a or any other building or structure erected or placed upon any land in the said town becomes occupied and used for manufacturing purposes, then notwithstanding the provisions of this

section, the lands upon which any such building, erection or fixed assessable machinery is erected, placed or affixed and any such building, erection or fixed assessable machinery which has so become occupied and used shall be equalized for county purposes according to the provisions of *The Assessment Act*.

Rev. Stat.,
c. 238.

(2) Subject as in subsection 1 provided, the equalized assessment of the said town shall for the purposes of the said county be fixed and determined in accordance with *The Assessment Act*.

County
by-law
number 668
repealed.

4. By-law number 668 of the corporation of the county of Essex confirmed by section 2 of *The Town of Ojibway Act, 1929*, shall after the 31st day of December, 1934, cease to have any force or effect and from and after the said date is hereby repealed. 

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Ojibway.

1st Reading

February 6th, 1934

2nd Reading

3rd Reading

MR. REID

*(Reprinted as amended by the Private Bills
Committee.)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Ojibway.

MR. REID

No. 8

1934

BILL

An Act respecting the Town of Ojibway.

Preamble.

WHEREAS the corporation of the town of Ojibway has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.

Short title.

1. This Act may be cited as *The Town of Ojibway Act, 1934*.

1913,
c. 108, s. 3,
subs. 3,
re-enacted.

2.—(1) Subsection 3 of section 3 of the Act passed in the year 1913 and chaptered 108 as amended by subsequent Acts relating to the said town is repealed and the following substituted therefor:

Appoint-
ment of
Mayor.

(3) The council shall on the second Monday in January in every year subsequent to the year 1934, appoint one of themselves mayor, to hold office for the current year until his successor is appointed, and has taken the declaration of office.

1913,
c. 108, s. 3,
subs. 4,
amended.

(2) Subsection 4 of the said section 3, as amended by subsequent Acts relating to the said town, is further amended by inserting after the figures "1934" in the second line, the words "and thereafter from year to year."

1913,
c. 108, s. 3,
subs. 6,
amended.

(3) Subsection 6 of the said section 3 is amended by striking out the words "prior to the 31st day of December, 1916," where they occur in the first and second lines.

1913,
c. 108, s. 4,
re-enacted.

(4) Section 4 of the said Act, as amended by subsequent Acts relating to the said town, is repealed and the following substituted therefor:

County
council
representa-
tion.

4. So long as the said town remains part of the county of Essex for municipal purposes it shall be represented in the council of the said county by the mayor only

who as a member of such county council shall possess and exercise the same rights and powers as the reeve of a municipality.

(5) Section 5 of the said Act, as amended by subsequent Acts relating to the said town, is further amended by striking out the words and figures "before the 31st day of December, 1934," in the first and second lines.

3.—(1) During the period of ten years commencing with the 1st day of January, 1935, the equalized assessment of all property in the town of Ojibway which is rateable for the purposes of the county of Essex shall in each year of the said period be fixed or determined as follows:

- (a) The equalized assessment of all buildings, structures and assessable fixed machinery now erected, placed, affixed and existing on any land in the said town and of all other rateable property in the said town except land, is fixed at the aggregate sum of \$300,000;
- (b) The equalized assessment of all land in the said town, exclusive of any buildings, structures and assessable fixed machinery now erected, placed, affixed and existing on any of such land, shall be fixed and determined by comparison with and on the same basis of valuation as other lands in the said county adjacent to the said town which are similar in character are valued and equalized for county purposes;
- (c) The equalized assessment of all buildings, structures and assessable fixed machinery hereafter erected, placed or affixed during the said period of ten years on any land in the said town shall be fixed and determined in accordance with the provisions of *The Assessment Act*;
- (d) If during the said period of ten years industrial activity in the said town arises so that any of the buildings, structures or fixed assessable machinery referred to in clause *a* or any other building or structure erected or placed upon any land in the said town becomes occupied and used for manufacturing purposes, then notwithstanding the provisions of this section, the lands upon which any such building, erection or fixed assessable machinery is erected, placed or affixed and any such building, erection or fixed assessable machinery which has so become occupied and used shall be equalized for county purposes according to the provisions of *The Assessment Act*.

Rev. Stat.,
c. 238.

(2) Subject as in subsection 1 provided, the equalized assessment of the said town shall for the purposes of the said county be fixed and determined in accordance with *The Assessment Act*.

County
by-law
number 668
repealed.

4. By-law number 668 of the corporation of the county of Essex confirmed by section 2 of *The Town of Ojibway Act, 1929*, shall after the 31st day of December, 1934, cease to have any force or effect and from and after the said date is hereby repealed.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Ojibway.

1st Reading

February 6th, 1934

2nd Reading

March 2nd, 1934

3rd Reading

March 7th, 1934

MR. REID

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Weston.

MR. PRICE (York West)

(PRIVATE BILL)

No. 9

1934

BILL

An Act respecting the Town of Weston.

Preamble.

WHEREAS the corporation of the town of Weston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Weston Act, 1934*.

Validation
of debenture
by-laws.

2. The following by-laws passed by the council of the corporation of the town of Weston and all debentures to be issued thereunder and all rates and assessments to be levied for the payment thereof as provided in the said by-laws are hereby ratified and confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof, namely:

By-law
No. 747.

(a) By-law number 747 passed on the 11th day of September, 1933, to authorize the borrowing of \$10,000 upon debentures to pay for the extension of the waterworks system of the town of Weston as in the said by-law particularly set out.

By-law
No. 773.

(b) By-law number 773 passed on the 15th day of January, 1934, to authorize the borrowing of \$7,000 upon debentures to pay for the completion of the improvement, extension, alteration and enlargement of the existing waterworks system of the town of Weston by the installation of a deep well water supply system together with connecting mains and other appurtenances.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

BY-LAW No. 773

Being a BY-LAW to authorize the borrowing of the sum of \$7,000.00 to complete the improvement, extension, alteration and enlargement of the existing waterworks system of the Town of Weston by the installation of a deep well water supply system together with connecting mains and other appurtenances.

Whereas the Department of Health of the Province of Ontario reported in writing that it was of the opinion that it was necessary in the interests of the public health that the existing waterworks system of the Town of Weston be improved, extended, altered and enlarged by the installation of a deep well water supply system together with connecting mains and other appurtenances;

And whereas the Municipal Council of the Corporation of the Town of Weston passed By-law Number 618 to authorize the borrowing of the sum of \$50,000.00 to pay for the said improvement, extension, alteration and enlargement of the said waterworks system;

And whereas the sum of \$50,000.00 is insufficient for the purpose aforesaid;

And whereas it will be necessary to borrow the further sum of \$7,000.00 to pay for the completion of the said improvement, extension, alteration and enlargement of the existing waterworks system of the Town of Weston and for that purpose to issue debentures of the said Municipality for the sum of Seven Thousand Dollars (\$7,000.00), which is the amount of the debt intended to be created by this by-law;

And whereas it is desirable to make the principal of the said debt repayable in annual instalments during the period of twenty years next after the issue of the debentures therefor, such instalments of principal to be of such amounts that, with the interest in respect of the debt payable annually, the aggregate amount payable for principal and interest in each year shall be as nearly as possible the same;

And whereas it will be necessary to raise annually for the period of twenty years during the currency of the debentures to be issued hereunder, by a special rate sufficient therefor, on all the rateable property of the Municipality the sum of Six Hundred and Ten Dollars and Twenty-nine Cents (\$610.29), to pay the several instalments of principal and interest thereon at Six per centum (6%) per annum as they respectively become due.

And whereas the amount of the whole rateable property of the Corporation of the Town of Weston, according to the last-revised assessment roll, being for the year 1933, is \$3,970,338.00;

And whereas the amount of the existing debenture debt of the said Corporation of the Town of Weston, exclusive of local improvement debenture debts secured by special assessment therefor, is \$596,794.77 and no part of the principal or interest is in arrear;

And whereas the said improvement, extension, alteration and enlargement of the said waterworks system has been approved by the Department of Health of the Province of Ontario and such approval has been certified under the hands of the Minister of Health, the Provincial Sanitary Engineer and the Deputy Minister of Health;

Therefore, the Municipal Council of the Corporation of the Town of Weston enacts as follows:

1. The Corporation shall complete the improvement, extension, alteration and enlargement of the existing waterworks system of the Town of Weston by the installation of a deep well water supply system, together with connecting mains and other appurtenances.

2. For the purpose aforesaid there shall be borrowed on the credit of the Corporation the sum of Seven Thousand Dollars (\$7,000.00) and debentures shall be issued therefor in sums of not less than \$50.00 each, bearing interest at the rate of Six per centum (6%) per annum and having coupons attached thereto for the payment of the interest.

3. The debentures shall be dated and issued within two years next after the passing of this by-law and shall be payable in twenty annual instalments during twenty years from the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Principal	Interest	Total
1.....	\$190 29	\$420 00	\$610 29
2.....	201 71	408 58	610 29
3.....	213 81	396 48	610 29
4.....	226 64	383 65	610 29
5.....	240 24	370 05	610 29
6.....	254 65	355 64	610 29
7.....	269 93	340 36	610 29
8.....	286 13	324 16	610 29
9.....	303 30	306 99	610 29
10.....	321 50	288 79	610 29
11.....	340 78	269 51	610 29
12.....	361 23	249 06	610 29
13.....	382 91	227 38	610 29
14.....	405 88	204 41	610 29
15.....	430 23	180 06	610 29
16.....	456 04	154 25	610 29
17.....	483 41	126 88	610 29
18.....	512 41	97 88	610 29
19.....	543 16	67 13	610 29
20.....	575 75	34 54	610 29
	<u>\$7,000 00</u>	<u>\$5,205 80</u>	<u>\$12,205 80</u>

4. The Debentures as to both principal and interest shall be expressed in Canadian Currency and may be payable at any place or places in Canada.

5. The Mayor of the Corporation shall sign and issue the Debentures and the same shall be signed by the Treasurer of the Corporation, and the Debentures shall be sealed with the seal of the Corporation.

6. The Debentures shall have coupons for the interest attached which shall be signed by the Treasurer and his signature to the said coupons may be written, stamped, lithographed or engraved.

7. For the purpose of paying the said instalments of principal and interest as the same become due respectively the said sum of Six Hundred and Ten Dollars and Twenty-nine Cents (\$610.29) shall be levied and raised in each and every year during the said period of twenty years, the currency of the said debentures, by a special rate sufficient therefor over and above all other rates and taxes upon all the rateable property of the said Municipality.

8. This By-law shall come into force and take effect on the day of the final passing thereof.

Passed in Council this 15th day of January, 1934, by a three-fourths vote of all the members of the Council.

(Signed) "S. J. TOTTEN,"
Mayor.

(Signed) "H. G. MUSSON,"
Clerk.

BY-LAW NUMBER 747

Being a BY-LAW to authorize the borrowing of the sum of \$10,000.00 to extend the waterworks system of the Town of Weston by: (1) Additions to the waterworks system as follows: Meter chamber, valves and by-pass and compound meter for emergency connection for supply of Toronto water over York Township mains in case of breakdown of Weston's waterworks system. (2) Additions to the waterworks system as follows: One new Low-lift pump unit, 15 h.p. motor, directly connected to Smart Turner Centrifugal Pump, rated at 920 I.G.P.M., together with an Allen-Bradley Automatic Starter. (3) Extensions and additions to the waterworks system as follows: On Church Street from George Street to King George Road; thence north on King George Road to a point just back of the plant of Messrs. Carl Austin Company; thence at right angles east into their property, some 50 feet to a "Ludlow" hydrant. (4) Extensions and additions to the waterworks system as follows: On Coulter Avenue from Rectory Road to corner of Main Street, together with new water meter and appurtenances. (5) Extension to the waterworks system, including water meters, alterations to chlorination equipment, and other appurtenances. (6) Extensions to the waterworks system, comprising the installation of Sixty-eight water meters. (7) Extension of the waterworks system by the installation of Sixty-three (63) water meters.

Whereas the Department of Health of the Province of Ontario has reported in writing by the hands of the Minister of Health, the Provincial Sanitary Engineer, and the Deputy Minister of Health that it is of the opinion that it is necessary in the interests of the public health that the existing waterworks system of the Town of Weston be extended by: (1) Additions to the waterworks system as follows: Meter chamber, valves and by-pass and compound meter for emergency connection for supply of Toronto water over York Township mains in case of breakdown to Weston's waterworks system. (2) Additions to the waterworks system as follows: One new Low-lift pump unit, 15 h.p. motor, directly connected to Smart Turner Centrifugal Pump, rated at 920 I.G.P.M., together with an Allen-Bradley Automatic Starter. (3) Extensions and additions to the waterworks system as follows: On Church Street from George Street to King George Road; thence north on King George Road to a point just back of the plant of Messrs. Carl Austin Company; thence at right angles east into their property, some 50 feet to a "Ludlow" hydrant. (4) Extensions and additions to the waterworks system as follows: On Coulter Avenue from Rectory Road to corner of Main Street, together with new water meter and appurtenances. (5) Extension to the waterworks system, including water meters, alterations to chlorination equipment, and other appurtenances. (6) Extensions to the waterworks system, comprising the installation of Sixty-eight water meters. (7) Extension of the waterworks system of the Town of Weston by installation of Sixty-three (63) water meters;

And whereas the Municipal Council of the Corporation of the Town of Weston deem it necessary and expedient in the interests of the said Corporation to extend the said system of waterworks as aforesaid;

And whereas it is necessary to borrow the money to pay for the aforesaid extension of the said system of waterworks, and for that purpose to issue debentures of the said Municipality for the sum of Ten Thousand (\$10,000.00) Dollars, bearing interest at the rate of Six per centum (6%) per annum, which is the amount of the debt intended to be created by this By-law;

And whereas it is desirable to make the principal of the said debt repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually for the period of twenty years, by a special rate sufficient therefor, on all the rateable property of the Municipality, the sum of Eight hundred and seventy-one

dollars and eighty-five cents (\$871.85) to pay the said yearly sums of principal and interest as they become due.

And whereas the amount of the whole rateable property of the Corporation of the Town of Weston, according to the last revised assessment roll, being for the year 1933, is \$3,973,038.00.

And whereas the amount of the existing debenture debt of the said Corporation of the Town of Weston (exclusive of local improvement debenture debts secured by special rates or assessments) is \$611,268.22 and no part of the principal or interest is in arrear;

And whereas the said extensions of the said waterworks system have been approved by the Department of Health of the Province of Ontario, and such approvals have been certified under the hands of the Minister of Health, the Provincial Sanitary Engineer, and the Deputy Minister of Health;

Therefore, the Municipal Council of the Corporation of the Town of Weston enacts as follows:

1. The Corporation shall extend the waterworks system of the Town of Weston by: (1) Additions to the waterworks system as follows: Meter chamber, valves and by-pass and compound meter for emergency connection for supply of Toronto water over York Township mains in case of breakdown to Weston's waterworks system. (2) Additions to the waterworks system as follows: One new Low-lift pump unit, 15 h.p. motor, directly connected to Smart Turner Centrifugal Pump, rated at 920 I.G.P.M., together with an Allen-Bradley Automatic Starter. (3) Extensions and additions to the waterworks system as follows: On Church Street from George Street to King George Road; thence north on King George Road to a point just back of the plant of Messrs. Carl Austin Company; thence at right angles east into their property, some 50 feet to a "Ludlow" hydrant. (4) Extensions and additions to the waterworks system as follows: On Coulter Avenue from Rectory Road to corner of Main Street, together with new water meter and appurtenances. (5) Extension to the waterworks system, including water meters, alterations to chlorination equipment, and other appurtenances. (6) Extensions to the waterworks system, comprising the installation of Sixty-eight water meters. (7) Extension of the waterworks system of the Town of Weston by installation of Sixty-three (63) water meters.

2. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation of the Town of Weston the sum of Ten Thousand Dollars (\$10,000.00) and debentures shall be issued therefor in sums of not less than One Hundred Dollars (\$100.00) each, bearing interest at the rate of Six per centum (6%) per annum, and having coupons attached thereto for the payment of the interest.

3. The Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and may bear any date within such two years, and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Principal	Interest	Total
1.....	\$271 85	\$600 00	\$871 85
2.....	288 16	583 69	871 85
3.....	305 45	566 40	871 85
4.....	323 77	548 08	871 85
5.....	343 20	528 65	871 85
6.....	363 79	508 06	871 85
7.....	385 62	486 23	871 85
8.....	408 76	463 09	871 85
9.....	433 28	438 57	871 85
10.....	459 28	412 57	871 85
11.....	486 83	385 02	871 85
12.....	516 04	355 81	871 85
13.....	547 01	324 84	871 85
14.....	579 83	292 02	871 85
15.....	614 62	257 23	871 85
16.....	651 49	220 36	871 85
17.....	690 58	181 27	871 85
18.....	732 02	139 83	871 85
19.....	775 93	95 92	871 85
20.....	822 49	49 36	871 85
	<hr/>	<hr/>	<hr/>
	\$10,000 00	\$7,437 00	\$17,437 00

4. The Debentures as to both principal and interest shall be expressed in Canadian Currency and may be payable at any place or places in Canada.

5. The Mayor of the Corporation shall sign and issue the Debentures and the same shall also be signed by the Treasurer of the Corporation and the Debentures shall be sealed with the seal of the Corporation.

6. The Debentures shall have coupons for the interest attached which shall be signed by the Treasurer and his signature to the said coupons may be written, stamped, lithographed or engraved.

7. For the purpose of paying the said instalments of principal and interest as the same become due respectively, the said sum of Eight hundred and seventy-one dollars and eighty-five cents (\$871.85) shall be levied and raised in each and every year during the said period of twenty years, the currency of the said Debentures, by a special rate sufficient therefor over and above all other rates and taxes upon all the rateable property of the said Municipality.

8. The Debentures may contain any clause providing for the registration thereof, authorized by any Statute relating to municipal debentures in force at the time of the issue thereof.

9. This By-law shall come into force and take effect on the day of the final passing thereof.

Passed in Council this 11th day of September, A.D. 1933, by a three-fourths vote of all the Members of the Council.

(Signed) "S. J. TOTTEN,"
Mayor.

(Signed) "H. G. MUSSON,"
Clerk.

BILL

An Act respecting the Town of Weston.

1st Reading

2nd Reading

3rd Reading

MR. PRICE (York West)

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Weston.

MR. PRICE (York West)

No. 9

1934

BILL

An Act respecting the Town of Weston.

Preamble.

WHEREAS the corporation of the town of Weston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Weston Act, 1934*.

Validation
of debenture
by-laws.

2. The following by-laws passed by the council of the corporation of the town of Weston and all debentures to be issued thereunder and all rates and assessments to be levied for the payment thereof as provided in the said by-laws are hereby ratified and confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof, namely:

By-law
No. 747.

(a) By-law number 747 passed on the 11th day of September, 1933, to authorize the borrowing of \$10,000 upon debentures to pay for the extension of the waterworks system of the town of Weston as in the said by-law particularly set out.

By-law
No. 773.

(b) By-law number 773 passed on the 15th day of January, 1934, to authorize the borrowing of \$7,000 upon debentures to pay for the completion of the improvement, extension, alteration and enlargement of the existing waterworks system of the town of Weston by the installation of a deep well water supply system together with connecting mains and other appurtenances.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Weston.

1st Reading

February 13th, 1934

2nd Reading

February 21st, 1934

3rd Reading

February 26th, 1934

MR. PRICE (York West)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Welland.

MR. VAUGHAN

(PRIVATE BILL)

No. 10

1934

BILL

An Act respecting the City of Welland.

Preamble.

WHEREAS the corporation of the city of Welland has by its petition represented that by its by-law number 842, 1933, and an agreement entered into pursuant thereto with the assent of the electors qualified to vote thereon, a fixed assessment was granted to Plymouth Cordage Company, and it is desirable to have the said by-law and agreement validated by special legislation for which it has prayed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Welland Act, 1934*.

By-law
No. 842
and
agreement
fixing
assessment
of Plymouth
Cordage Co.
confirmed.

2. By-law number 842, 1933, of the corporation of the city of Welland passed on the 20th day of June, 1933, and the agreement entered into pursuant thereto, dated the 2nd day of May, 1933, made between Plymouth Cordage Company and the said corporation granting to the said company a fixed assessment in respect of the lands, for the period and upon the terms therein set forth, are and each of them is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Plymouth Cordage Company, its successors and assigns.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW NUMBER 842

A BY-LAW to enter into an Agreement regarding the fixed assessment for taxes for Plymouth Cordage Company.

The Municipal Council of the City of Welland enacts as follows:

1. That the Mayor and Clerk be and they are hereby authorized to sign and attach the Corporate Seal to the Agreement with Plymouth Cordage Company, hereunto annexed, marked with the letter "A."

Read a first and second time this 16th day of May, 1933.

Having received the assent of the electors read a third time and finally passed this 20th day of June, 1933.

(Sgd.) FRANK SPRINGER,
Mayor.

(Sgd.) J. D. WATT,
Clerk.

Schedule "A" to By-law No. 842

This Indenture made in duplicate this Second day of May, in the year of Our Lord one thousand nine hundred and thirty-three.

BETWEEN:

PLYMOUTH CORDAGE COMPANY, of the City of Welland,
in the County of Welland, hereinafter called the
"Company,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF
WELLAND (hereinafter called the "Corporation"),

of the second part.

Whereas the Company has applied to the Council of the Corporation of the City of Welland for a partial exemption from taxation including business assessment on its property, plant and equipment, in the said City of Welland for a period of five years to commence from and including the first day of September, A.D. 1933, to the extent and manner following, viz.:

To the assessed value thereof and above the sum of Three Hundred and Fifty Thousand Dollars (save and except taxation for school purposes, library, hospital, charities, charitable or unemployment relief, local improvements and taxes for heat, light or power, then, now or hereafter imposed) and the Corporation has agreed to pass a by-law granting the said partial exemption upon the Company entering into this agreement to and with the said Corporation.

Now, therefore, this Agreement (being the Agreement in the said by-law referred to) witnesseth that the Company and the Corporation mutually covenant and agree to and with each other in manner following, that is to say:

1. The Corporation will, in the event of the said by-law receiving the legally required majority of the votes of the qualified ratepayers of the said City, duly take the same into its consideration, and pass the same.

2. The Company will continuously carry on its manufacturing business on the site, lands and premises now owned by the Company, and more particularly described as follows: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Welland, in the County of Welland, and being composed of Block lettered "F" on Plan Number Twenty-six for the Town of Welland, registered in the Registry Office for the County of Welland on the 15th day of November, 1906, for a period of five years, save and except such period of cessation or shutting down (not, however, to exceed one month in each year) as are ordinarily incident to the nature of the said business; and also save and except for such period of cessation or shutting down as shall be caused by contingencies beyond the control of the Company, or by strikes of the Company, workmen or operatives, and the Company will, during each of the years of the said period employ on an average of two hundred employees and pay in wages during the said period to its workmen and operatives and employees not less than Two Hundred Thousand Dollars exclusive of wages and salaries paid to its travellers and managing officers.

3. It is agreed that notwithstanding the partial exemption from taxation granted by the said by-law, the lands and buildings and property of the Company, including business assessment, shall, during the said period of five years from and including the first day of September, A.D. 1933, be annually assessed in the same manner as if the said by-law had not been passed and the taxes and rates thereon shall be duly entered on the collector's roll for the said city from year to year; but such taxes (save and except taxation for school purposes, library, hospital, charities, charitable or unemployment relief, local improvements and taxation for light, heat or power, if now, or hereafter imposed) shall not during any year of the said period of five years from and including the first day of September, 1933, be collected on any greater part of the said assessment than Three Hundred and Fifty Thousand Dollars unless the Company shall have made default in the terms, provisos and stipulations of this agreement, in which case and when and so often as such default shall happen the whole of the taxes for the year in which such default shall happen shall become due and payable and may be collected by the Corporation as if this by-law had not been passed.

4. The said Company shall, at all times during the said period of five years, insure and keep insured the said premises, buildings, machinery, plant and fixtures to their full insurable value, and, if at any time during the said period of five years the said buildings, plant, machinery and fixtures shall be wholly or partially destroyed by fire, then in any such event and when and so often as the said event may occur, the Company shall at once proceed to rebuild and restore or repair the said buildings, plant, machinery and fixtures so as to make the same suitable and available at the earliest reasonable time for the purpose of its said business on said premises.

5. It is agreed that in case of a fire or of any other event beyond the Company's control, which shall render the Company for the time being unable to continue its said manufacturing business in any or all of the departments thereof, and when and so often as the said event shall happen, then and in any such case, if the Company shall forthwith proceed to repair and restore the said buildings, plant, machinery and fixtures to their former conditions of efficiency for the purpose of resuming and carrying on its said manufacturing business at the earliest possible reasonable time, the Company shall be relieved *pro tanto* of the covenant as to payment of wages for the year in which the said fire or other event may occur and the amount of wages for the said year to be paid by the Company shall be estimated proportionately for the portion of such year during which the Company's factory could have been operated.

6. It is further agreed that if during the said period of five years any portions of the said lands and premises are used for residential purposes, then such portions so used as residential purposes shall be assessed and taxes paid thereon in the same manner as other City property.

7. It is understood and agreed that the said Plymouth Cordage Company will bear all the expenses of the preparation, advertising and submission of the said by-law, and preparation of the agreement between them and the Corporation, and all other legal expenses for services rendered, it being the intention of this covenant that the Corporation shall not pay, or be obliged to pay, any part or portion of any expense incurred by reason of the submission of the said by-law, but all such expenses shall be borne wholly by the said Plymouth Cordage Company.

8. The terms, covenants and stipulations of this agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

In witness whereof the said Company and the said Corporation have caused their Corporate Seals to be hereunto affixed and these presents signed by their proper officers in that behalf.

PLYMOUTH CORDAGE COMPANY.

By F. C. HOLMES,
Treasurer.

CORPORATION OF THE CITY OF WELLAND.

FRANK SPRINGER, *Mayor.*

J. D. WATT, *Clerk.*

BILL

An Act respecting the City of Welland.

1st Reading

2nd Reading

3rd Reading

MR. VAUGHAN

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Welland.

MR. VAUGHAN

No. 10

1934

BILL

An Act respecting the City of Welland.

Preamble.

WHEREAS the corporation of the city of Welland has by its petition represented that by its by-law number 842, 1933, and an agreement entered into pursuant thereto with the assent of the electors qualified to vote thereon, a fixed assessment was granted to Plymouth Cordage Company, and it is desirable to have the said by-law and agreement validated by special legislation for which it has prayed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Welland Act, 1934*.

By-law
No. 842
and
agreement
fixing
assessment
of Plymouth
Cordage Co.
confirmed.

2. By-law number 842, 1933, of the corporation of the city of Welland passed on the 20th day of June, 1933, and the agreement entered into pursuant thereto, dated the 2nd day of May, 1933, made between Plymouth Cordage Company and the said corporation granting to the said company a fixed assessment in respect of the lands, for the period and upon the terms therein set forth, are and each of them is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Plymouth Cordage Company, its successors and assigns.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Welland.

1st Reading

February 13th, 1934

2nd Reading

February 21st, 1934

3rd Reading

February 26th, 1934

MR. VAUGHAN

No. 11

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Toronto.

MR. OAKLEY

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 11

1934

BILL

An Act respecting the City of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1934*.

Annexation
of lands to
city

2. The lands described in the schedule hereto shall, from and after the date when this section comes into force, be annexed to and form part of the city of Toronto, as part of Ward No. 6, and section 38 of *The Municipal Act* shall not apply in the case of the said annexation.

Confirma-
tion of tax
sales and
conveyances.

3.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of Toronto or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Authority for grants out of revenues of 1934.

4.—(1) The council of the said corporation may out of the current revenues of the corporation in 1934 grant such sum or sums of money not exceeding in the aggregate \$75,000 in aid of such institutions, associations and persons carrying on or engaged in works which in the opinion of the council are for the general advantage of the inhabitants of the said city, but in respect to which no express authority to grant aid is conferred by statute.

Appropriation for celebration of the centenary of Toronto.

(2) The council of the said corporation may appropriate and expend a sum not exceeding \$180,000 out of the current revenues of the corporation in the celebration of the Centenary of the incorporation of the city of Toronto, and may, by resolution, provide that the control and expenditure of the said sum or any part thereof shall be entrusted to and vested in a special committee appointed by the said council and composed of such ratepayers or residents of the said city as the said council may appoint, with power to the said committee in the name of the corporation to enter into contracts for the granting of concessions and for other matters in respect to the expenditure of such sum as may be entrusted by the council to the committee; but all revenues derived by the said committee from the said celebration or anything done in connection therewith shall be paid over to the treasurer of the said city to form part of the current revenues of the corporation.

Effect of subsection 2.

(3) The provisions of subsection 2 shall have force and take effect as from the first day of January, 1933.

Authority to exempt or reduce properties from frontage rates on main traffic arteries.

5.—(1) Where the council of the said corporation proposes to undertake as a local improvement work to form part of a main traffic arterial highway, the opening, widening, extending, grading, altering the grade of, diverting or improving a street or the opening or establishing of a new street or the construction of a bridge as part of a street, and the council is of opinion, by resolution passed by a vote of three-fourths of all the members, that it would be inequitable to impose upon the lots fronting or abutting on the work or any of them, the special assessment required to be imposed thereon by the provisions of *The Local Improvement Act* the council may in the by-law for undertaking the work, to be passed by a vote of three-fourths of all the members and with the approval of the Ontario Municipal Board exempt any such lot from special

assessment for the work, or make a reduction in the special assessment which would otherwise be chargeable thereon by deducting from the total frontage of the lot liable to special assessment so much thereof as is sufficient to make such reduction.

(2) The amount of any special assessment involved in any exemption or reduction made pursuant to subsection 1 shall be added to and form part of the corporation's portion of the cost of the work.

Approval by
Municipal
Board.

(3) The approval of the Ontario Municipal Board may be given at any time prior to the council passing the by-law for undertaking the work.

Ferry
agreement
extended.

1929, c. 124.

6. The agreement dated the 25th day of July, 1927, made between the corporation of the city of Toronto and the Toronto Transportation Commission set out in schedule "B" to chapter 124 of the Acts passed in the nineteenth year of the reign of His Majesty King George V, shall be legal, valid and binding upon the parties thereto until the 28th day of March, 1935.

Commence-
ment of Act.

7. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934.

SCHEDULE

Firstly:—All and singular that certain parcel or tract of land and premises situate, lying and being in the township of Etobicoke, in the county of York and Province of Ontario, being composed of part of lot one in the fifth range of the Kingsmill Reserve, part of the road allowance between lots "F" and one, township of Etobicoke and part of lot twenty-three, registered plan number 1176, York, and which said parcel is more particularly described as follows: commencing where an iron bar has been planted in the southeasterly limit of the Lake Shore Road at the intersection of the northeasterly limit of a road 30 feet wide lying immediately to the west of the lands formerly owned by Chas. Nurse, which road was opened by by-law No. 436 of the municipal council of the township of Etobicoke; thence southeasterly along the said northeasterly limit of the 30-foot road nine and ninety-one hundredths feet (9.91); thence northeasterly in a straight line three hundred and fifty-one and three-tenths feet to a point in the northeasterly limit of the water lot patented to Chas. Nurse by C.L.S. 46817, the said point being distant fifty-eight and three-tenths feet measured northwesterly along the said northeasterly limit of the Nurse water lot from its intersection with the southerly limit of the road allowance between lots "F" and one, township of Etobicoke, closed by by-law No. 433 of the municipal council of the township of Etobicoke; thence northwesterly along the said northeasterly limit of the Nurse water lot to the high water mark on the west bank of the Humber River; thence northerly along the last-mentioned limit to the southeasterly limit of the Lake Shore Road; thence southwesterly along the last-mentioned limit to the place of beginning.

Secondly:—All that parcel or tract of land covered by the waters of the Humber River, situate lying and being between the water lot granted to one Charles Nurse by Letters Patent dated 23rd July, 1891, lying in front of part of lot "F" in the Broken Range E on Lake Ontario and the Humber River in the township of Etobicoke, in the county of York and the water lot granted to T. N. Watson December 5th, 1905, lying in front of parts of lots thirty-nine and forty in the Broken Front concession in the township of York, in the county of York, and now owned by the Toronto Harbour Commissioners the boundaries of which said parcel of land are more particularly described as follows: premising that the southerly limit of the allowance for road between lot "F" in the broken front concession of the township of Etobicoke and lot number one in Range five of the Kingsmill Reserve, has a course of north 74 degrees east and relating all bearings herein thereto; and commencing at a point in the easterly limit of the said water lot granted to Charles Nurse distant 58.3 feet measured north 47 degrees 25 minutes west along the said easterly limit of water lot from its intersection with the aforesaid southerly limit of the allowance for road between lot "F" in the broken front concession of the township of Etobicoke and lot number one in Range 5, in the Kingsmill Reserve; the said point of commencement being the southeasterly angle of the parcel of land firstly described herein; thence north 54 degrees 9 minutes east to the westerly limit of the city of Toronto as described in 6 Geo. V, Chap. 96, Section 2; thence northwesterly along the said limit of the city of Toronto to the southeasterly limit of the Lake Shore Road; thence southwesterly along the said southeasterly limit of the Lake Shore Road to the high water mark on the west bank of the Humber River; thence southerly along the said high water mark to the northeasterly limit of the Nurse water lot; thence southeasterly, along the said limit of the said water lot to the place of beginning.

BILL

An Act respecting the City of Toronto.

1st Reading

2nd Reading

3rd Reading

MR. OAKLEY

(*Private Bill*)

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24 GEORGE V, 1934

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(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

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BILL

An Act respecting the City of Toronto.

1st Reading

February 13th, 1934

2nd Reading

February 23rd, 1934

3rd Reading

March 5th, 1934

MR. OAKLEY

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting Hamilton By-Product Coke Ovens Limited.

MR. MARTIN (Hamilton, West)

(PRIVATE BILL)

No. 12

1934

BILL

An Act respecting Hamilton By-Product Coke Ovens Limited.

Preamble.

WHEREAS Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, by indenture of mortgage made as of the 1st day of February, 1923, known as the first mortgage indenture, mortgaged unto Central Trust Company of Illinois, a corporation organized and existing under the laws of the State of Illinois, and H. J. Daly, of the city of Toronto in the Province of Ontario, as trustees, the lands, premises and other assets therein described, to secure an issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds; and whereas the said H. J. Daly died on or about the 9th day of June, 1924; and whereas on the 14th day of January, 1929, the said Central Trust Company of Illinois by appropriate proceedings under the laws of the said state consolidated with the Bank of America to form a corporation known as Central Trust Company of Illinois; and whereas on the 25th day of July, 1931, the said last-named Central Trust Company of Illinois by appropriate proceedings under the laws of the said state consolidated with the Chicago Trust Company to form a corporation known as Central Republic Bank and Trust Company; and whereas the said Hamilton By-Product Coke Ovens Limited by Deed of Trust and Mortgage made as of the 1st day of July, 1931, known as the General Mortgage Trust Deed, mortgaged unto National Trust Company Limited, a body corporate, organized and existing under the laws of the Province of Ontario, the land, premises and other assets therein described, to secure an issue of General Mortgage 6½ Per Cent. Twenty-five Year Sinking Fund Bonds; and whereas the said Hamilton By-Product Coke Ovens Limited by Indenture made the 22nd day of November, 1932, supplemental to the said First Mortgage Indenture and known as the First Mortgage Supplemental Indenture, mortgaged the lands and premises therein described to the said Central Republic Bank and Trust Company as trustee under the said First Mortgage Indenture pursuant to the covenant for further assurances therein contained, to be held as part of the mortgaged premises under the said First Mortgage Indenture and

as security for the aforesaid issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds; and whereas pursuant to appropriate proceedings taken in that respect the said First Mortgage Supplemental Indenture is an incumbrance upon the lands and premises therein described in priority to the said General Mortgage Trust Deed; and whereas on the 28th day of November, 1932, the said Central Republic Bank and Trust Company by appropriate proceedings under the laws of the State of Illinois, changed its name to Central Republic Trust Company; and whereas the said Central Republic Trust Company is presently administering the trusts under the said First Mortgage Indenture; and whereas by reason of the said Central Republic Trust Company and its predecessor corporations as aforesaid, being corporations created out of the Province of Ontario and the proceedings in relation to their succession to the trusts under the said First Mortgage Indenture not being subject to the laws of the said Province and by reason of other matters relating to the title to the lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture, doubts have arisen as to the validity of the said several recited instruments and as to the estates of the said Central Republic Trust Company, National Trust Company Limited and Hamilton By-Product Coke Ovens Limited respectively in the said lands, premises and other assets, and the said Hamilton By-Product Coke Ovens Limited, with the concurrence of the said Central Republic Trust Company and National Trust Company Limited has petitioned that by an Act of the Legislative Assembly of the Province of Ontario the said several instruments be validated and confirmed and the said respective estates be vested according to the true intent of the parties to the said instruments; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *Hamilton By-Product Coke Ovens Limited Act, 1934*.

Validation of
first
mortgage.

2. The Indenture of Mortgage made as of the 1st day of February, 1923, by Hamilton By-Product Coke Ovens Limited to Central Trust Company of Illinois and H. J. Daly, as trustees, known as the First Mortgage Indenture and more particularly referred to in schedule "A" to this Act, is hereby validated and confirmed as of the date thereof and declared to be and since its date to have been a valid and subsisting mortgage and charge of the lands, premises and other assets therein described.

Validation of
supple-
mental
mortgage.

3. The Supplemental Indenture of Mortgage made the 22nd day of November, 1932, by Hamilton By-Product Coke Ovens Limited to Central Republic Bank and Trust Company as the then trustee under the said First Mortgage Indenture, known as the First Mortgage Supplemental Indenture, and more particularly referred to in schedule "B" to this Act, is hereby validated and confirmed as of the date thereof and declared to be and since its date to have been a valid and subsisting mortgage of the lands and premises therein described.

Validation of
general
mortgage.

4. The Deed of Trust and Mortgage made as of the 1st day of July, 1931, by Hamilton By-Product Coke Ovens Limited to National Trust Company Limited, as trustee, known as the General Mortgage Trust Deed, and more particularly referred to in schedule "C" to this Act, is hereby validated and confirmed and declared to be and since its date to have been a valid and subsisting mortgage and charge of the lands, premises and other assets therein described.

Vesting of
title to
mortgaged
premises.

5. The lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture for all the estate and title therein and thereto to which Hamilton By-Product Coke Ovens Limited would be entitled if the said First Mortgage Indenture, First Mortgage Supplemental Indenture and General Mortgage Trust Deed had not been executed and delivered, are, notwithstanding any right or claim thereto of the Crown in right of the Province of Ontario by reason of any escheat, forfeiture or reversion, or of any person entitled under the said First Mortgage Indenture, First Mortgage Supplemental Indenture or General Mortgage Trust Deed, hereby vested:

- (a) in Central Republic Trust Company as trustee under the said First Mortgage Indenture upon the trusts and for the uses and purposes and with the powers and authorities and upon the terms and conditions mentioned and set out therein;
- (b) and subject to the said prior estate and interest therein of the said Central Republic Trust Company, in National Trust Company Limited as trustee under the said General Mortgage Trust Deed upon the trusts and for the uses and purposes and with the powers and authorities and upon the terms and conditions mentioned and set out therein;
- (c) and subject to the said prior estates and interests therein of the said Central Republic Trust Company and National Trust Company Limited in Hamilton By-Product Coke Ovens Limited,

Powers of
trustee
under
mortgage.

6. Central Republic Trust Company is hereby declared to be entitled to administer the trusts of the said First Mortgage Indenture and to exercise all powers and authorities thereby conferred upon the trustees therein named, and to hold, possess and retain title to the said lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture upon, for and during the trusts thereunder.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

Indenture of Mortgage made as of the 1st day of February, 1923, by and between the Hamilton By-Product Coke Ovens Limited, a corporation duly organized and existing under and by virtue of the laws of the Province of Ontario, Dominion of Canada, having its principal office in the city of Hamilton, Province of Ontario, Dominion of Canada, of the First Part and Central Trust Company of Illinois, a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, United States of America, and having its principal office in the city of Chicago in the said state, and H. J. Daly, of the city of Toronto, Province of Ontario, Dominion of Canada, of the Second Part, to secure an issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds of Hamilton By-Product Coke Ovens Limited, not to exceed in the aggregate \$3,500,000 and registered on the fifth day of March, 1923, in the Registry Office for the Registry Division of the County of Wentworth as No. 247215 for the city of Hamilton.

SCHEDULE "B"

Indenture by way of Supplemental Mortgage made the 22nd day of November, 1932, between Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, in the Dominion of Canada, and having its head office at the city of Hamilton in the said Province, of the First Part, and Central Republic Bank and Trust Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois, United States of America, and having its principal office at the city of Chicago in the said state, of the Second Part, to further secure the issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds of Hamilton By-Product Coke Ovens Limited and registered on the 29th day of November, 1932, in the Registry Office for the Registry Division of Wentworth as No. 13431-N.S. for the city of Hamilton.

SCHEDULE "C"

Deed of Trust and Mortgage made as of the 1st day of July, 1931, between Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, in the Dominion of Canada, and having its head office at the city of Hamilton in the said Province, of the First Part, and National Trust Company Limited, a body corporate, organized and existing under the laws of the said Province of Ontario, and having its head office at the city of Toronto in the said Province, of the Second Part, to secure an issue of General Mortgage 6½ Per Cent. Twenty-five Year Sinking Fund Bonds of Hamilton By-Product Coke Ovens Limited, not to exceed in the aggregate \$10,000,000 and registered on the 16th day of September, 1931, in the Registry Office for the Registry Division of Wentworth as No. 5906-N.S. for the city of Hamilton.

1 2
BILL

An Act respecting Hamilton By-Product
Coke Ovens Limited.

1st Reading

2nd Reading

3rd Reading

MR. MARTIN (Hamilton, West)

(Private Bill)

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WHEREAS Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, by indenture of mortgage made as of the 1st day of February, 1923, known as the first mortgage indenture, mortgaged unto Central Trust Company of Illinois, a corporation organized and existing under the laws of the State of Illinois, and H. J. Daly, of the city of Toronto in the Province of Ontario, as trustees, the lands, premises and other assets therein described, to secure an issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds; and whereas the said H. J. Daly died on or about the 9th day of June, 1924; and whereas on the 14th day of January, 1929, the said Central Trust Company of Illinois by appropriate proceedings under the laws of the said state consolidated with the Bank of America to form a corporation known as Central Trust Company of Illinois; and whereas on the 25th day of July, 1931, the said last-named Central Trust Company of Illinois by appropriate proceedings under the laws of the said state consolidated with the Chicago Trust Company to form a corporation known as Central Republic Bank and Trust Company; and whereas the said Hamilton By-Product Coke Ovens Limited by Deed of Trust and Mortgage made as of the 1st day of July, 1931, known as the General Mortgage Trust Deed, mortgaged unto National Trust Company Limited, a body corporate, organized and existing under the laws of the Province of Ontario, the land, premises and other assets therein described, to secure an issue of General Mortgage 6½ Per Cent. Twenty-five Year Sinking Fund Bonds; and whereas the said Hamilton By-Product Coke Ovens Limited by Indenture made the 22nd day of November, 1932, supplemental to the said First Mortgage Indenture and known as the First Mortgage Supplemental Indenture, mortgaged the lands and premises therein described to the said Central Republic Bank and Trust Company as trustee under the said First Mortgage Indenture pursuant to the covenant for further assurances therein contained, to be held as part of the mortgaged premises under the said First Mortgage Indenture and

as security for the aforesaid issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds; and whereas pursuant to appropriate proceedings taken in that respect the said First Mortgage Supplemental Indenture is an incumbrance upon the lands and premises therein described in priority to the said General Mortgage Trust Deed; and whereas on the 28th day of November, 1932, the said Central Republic Bank and Trust Company by appropriate proceedings under the laws of the State of Illinois, changed its name to Central Republic Trust Company; and whereas the said Central Republic Trust Company is presently administering the trusts under the said First Mortgage Indenture; and whereas by reason of the said Central Republic Trust Company and its predecessor corporations as aforesaid, being corporations created out of the Province of Ontario and the proceedings in relation to their succession to the trusts under the said First Mortgage Indenture not being subject to the laws of the said Province and by reason of other matters relating to the title to the lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture, doubts have arisen as to the validity of the said several recited instruments and as to the estates of the said Central Republic Trust Company, National Trust Company Limited and Hamilton By-Product Coke Ovens Limited respectively in the said lands, premises and other assets, and the said Hamilton By-Product Coke Ovens Limited, with the concurrence of the said Central Republic Trust Company and National Trust Company Limited has petitioned that by an Act of the Legislative Assembly of the Province of Ontario the said several instruments be validated and confirmed and the said respective estates be vested according to the true intent of the parties to the said instruments; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *Hamilton By-Product Coke* ^{Short title.}
Ovens Limited Act, 1934.

2. The Indenture of Mortgage made as of the 1st day of ^{Validation of} February, 1923, by Hamilton By-Product Coke Ovens ^{first} mortgage. Limited to Central Trust Company of Illinois and H. J. Daly, as trustees, known as the First Mortgage Indenture and more particularly referred to in schedule "A" to this Act, is hereby validated and confirmed as of the date thereof and declared to be and since its date to have been a valid and subsisting mortgage and charge of the lands, premises and other assets therein described.

Validation of
supple-
mental
mortgage.

3. The Supplemental Indenture of Mortgage made the 22nd day of November, 1932, by Hamilton By-Product Coke Ovens Limited to Central Republic Bank and Trust Company as the then trustee under the said First Mortgage Indenture, known as the First Mortgage Supplemental Indenture, and more particularly referred to in schedule "B" to this Act, is hereby validated and confirmed as of the date thereof and declared to be and since its date to have been a valid and subsisting mortgage of the lands and premises therein described.

Validation of
general
mortgage.

4. The Deed of Trust and Mortgage made as of the 1st day of July, 1931, by Hamilton By-Product Coke Ovens Limited to National Trust Company Limited, as trustee, known as the General Mortgage Trust Deed, and more particularly referred to in schedule "C" to this Act, is hereby validated and confirmed and declared to be and since its date to have been a valid and subsisting mortgage and charge of the lands, premises and other assets therein described.

Vesting of
title to
mortgaged
premises.

5. The lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture for all the estate and title therein and thereto to which Hamilton By-Product Coke Ovens Limited would be entitled if the said First Mortgage Indenture, First Mortgage Supplemental Indenture and General Mortgage Trust Deed had not been executed and delivered, are, notwithstanding any right or claim thereto of the Crown in right of the Province of Ontario by reason of any escheat, forfeiture or reversion, or of any person entitled under the said First Mortgage Indenture, First Mortgage Supplemental Indenture or General Mortgage Trust Deed, hereby vested:

- (a) in Central Republic Trust Company as trustee under the said First Mortgage Indenture upon the trusts and for the uses and purposes and with the powers and authorities and upon the terms and conditions mentioned and set out therein;
- (b) and subject to the said prior estate and interest therein of the said Central Republic Trust Company, in National Trust Company Limited as trustee under the said General Mortgage Trust Deed upon the trusts and for the uses and purposes and with the powers and authorities and upon the terms and conditions mentioned and set out therein;
- (c) and subject to the said prior estates and interests therein of the said Central Republic Trust Company and National Trust Company Limited in Hamilton By-Product Coke Ovens Limited.

6. Central Republic Trust Company is hereby declared to be entitled to administer the trusts of the said First Mortgage Indenture and to exercise all powers and authorities thereby conferred upon the trustees therein named, and to hold, possess and retain title to the said lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture upon, for and during the trusts thereunder. ^{Powers of trustee under mortgage.}

7. This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act.}

SCHEDULE "A"

Indenture of Mortgage made as of the 1st day of February, 1923, by and between the Hamilton By-Product Coke Ovens Limited, a corporation duly organized and existing under and by virtue of the laws of the Province of Ontario, Dominion of Canada, having its principal office in the city of Hamilton, Province of Ontario, Dominion of Canada, of the First Part and Central Trust Company of Illinois, a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, United States of America, and having its principal office in the city of Chicago in the said state, and H. J. Daly, of the city of Toronto, Province of Ontario, Dominion of Canada, of the Second Part, to secure an issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds of Hamilton By-Product Coke Ovens Limited, not to exceed in the aggregate \$3,500,000 and registered on the fifth day of March, 1923, in the Registry Office for the Registry Division of the County of Wentworth as No. 247215 for the city of Hamilton.

SCHEDULE "B"

Indenture by way of Supplemental Mortgage made the 22nd day of November, 1932, between Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, in the Dominion of Canada, and having its head office at the city of Hamilton in the said Province, of the First Part, and Central Republic Bank and Trust Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois, United States of America, and having its principal office at the city of Chicago in the said state, of the Second Part, to further secure the issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds of Hamilton By-Product Coke Ovens Limited and registered on the 29th day of November, 1932, in the Registry Office for the Registry Division of Wentworth as No. 13431-N.S. for the city of Hamilton.

SCHEDULE "C"

Deed of Trust and Mortgage made as of the 1st day of July, 1931, between Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, in the Dominion of Canada, and having its head office at the city of Hamilton in the said Province, of the First Part, and National Trust Company Limited, a body corporate, organized and existing under the laws of the said Province of Ontario, and having its head office at the city of Toronto in the said Province, of the Second Part, to secure an issue of General Mortgage 6½ Per Cent. Twenty-five Year Sinking Fund Bonds of Hamilton By-Product Coke Ovens Limited, not to exceed in the aggregate \$10,000,000 and registered on the 16th day of September, 1931, in the Registry Office for the Registry Division of Wentworth as No. 5906-N.S. for the city of Hamilton.

BILL

An Act respecting Hamilton By-Product
Coke Ovens Limited.

1st Reading

February 6th, 1934

2nd Reading

February 16th, 1934

3rd Reading

February 26th, 1934

MR. MARTIN (Hamilton, West)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Teck.

MR. KENNING

(PRIVATE BILL)

No. 13

1934

BILL

An Act respecting the Township of Teck.

Preamble.

WHEREAS the corporation of the township of Teck has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Teck Act, 1934*.

By-law
No. 680 and
agreement
confirmed.

2. By-law number 680 passed by the council of the corporation of the township of Teck on the 6th day of November, 1933, authorizing the execution of an agreement dated the 7th day of December, 1933 by the said corporation with the Provincial Government, respecting unemployment relief, and the said agreement are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 687 and
agreement
confirmed.

3. By-law number 687 passed by the council of the said corporation on the 20th day of November, 1933, authorizing the execution of an agreement dated the 7th day of December, 1933 by the said corporation with the Provincial Government, respecting public school purposes, and the said agreement are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the public school supporters of the township school area of Kirkland Lake.

Authority
to pass
by-laws for,

4. The council of the said corporation is authorized to pass by-laws,—

Licensing
coal and
coke
dealers.

(a) For the purposes mentioned in, but subject to the requirements of paragraph 11 of section 400 and section 431a of *The Municipal Act*.

Right-of-
way for
fire reels.

- (b) For providing that the reels, engines and vehicles of the fire department of the said corporation shall have the right-of-way on the streets and highways within the township while proceeding to a fire or answering a fire alarm call.

Regulating
parades.

- (c) For regulating parades or processions on highways, and from time to time, and as occasion may require, prescribing the routes of travel to be observed by all vehicles, horses and persons upon the highways, and preventing the obstruction of the highways during public processions or public demonstrations, and for giving directions to the police constables for keeping order, and preventing any collision or obstruction of traffic at the intersections or other frequented portions of the highways, on all occasions when the highways are thronged, or liable to obstruction.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of Teck.

1st Reading

2nd Reading

3rd Reading

MR. KENNING

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Teck.

MR. KENNING

No. 13

1934

BILL

An Act respecting the Township of Teck.

Preamble.

WHEREAS the corporation of the township of Teck has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Teck Act, 1934*.

By-law
No. 680 and
agreement
confirmed.

2. By-law number 680 passed by the council of the corporation of the township of Teck on the 6th day of November, 1933, authorizing the execution of an agreement dated the 7th day of December, 1933 by the said corporation with the Provincial Government, respecting unemployment relief, and the said agreement are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 687 and
agreement
confirmed.

3. By-law number 687 passed by the council of the said corporation on the 20th day of November, 1933, authorizing the execution of an agreement dated the 7th day of December, 1933 by the said corporation with the Provincial Government, respecting public school purposes, and the said agreement are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the public school supporters of the township school area of Kirkland Lake.

Authority
to pass
by-laws for,

4. The council of the said corporation is authorized to pass by-laws,—

Licensing
coal and
coke
dealers.

(a) For the purposes mentioned in, but subject to the requirements of paragraph 11 of section 400 and section 431a of *The Municipal Act*.

- (b) For providing that the reels, engines and vehicles of the fire department of the said corporation shall have the right-of-way on the streets and highways within the township while proceeding to a fire or answering a fire alarm call. ^{Right-of-way for fire reels.}
- (c) For regulating parades or processions on highways, and from time to time, and as occasion may require, prescribing the routes of travel to be observed by all vehicles, horses and persons upon the highways, and preventing the obstruction of the highways during public processions or public demonstrations, and for giving directions to the police constables for keeping order, and preventing any collision or obstruction of traffic at the intersections or other frequented portions of the highways, on all occasions when the highways are thronged, or liable to obstruction. ^{Regulating parades.}
- 5.** This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act.}

BILL

An Act respecting the Township of Teck.

1st Reading

February 27th, 1934

2nd Reading

March 7th, 1934

3rd Reading

March 16th, 1934

MR. KENNING

No. 14

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Hamilton.

MR. JUTTEN

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 14

1934

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1934*.

Refund of
taxes to
Separate
School
Board.

2. The corporation of the city of Hamilton, having collected from the Separate School Board of the said city the sum of \$6,369.45 for local improvements charged against its properties in the said city for the years 1924 to 1932, contrary to the provisions of *The Assessment Act*, and of *The Local Improvement Act*, the council of the said corporation is authorized to refund such sum to the said board.

Rev. Stat.,
cc. 238, 235.

Refund of
water rates
to Peerless
Wire
Company.

3. The said corporation, having collected from the Peerless Wire Fence Company the sum of \$78.20 for water rates charged against its property in the said city for the years 1928 to 1933, contrary to statute, the council of the said corporation is authorized to refund such sum to the said company.

East
16th Street
sewer rates.

4. The council of the said corporation is authorized to pass by-laws for altering and varying the rates imposed upon the lands abutting on East 16th Street from Concession Street to Inverness Avenue for the cost of the sewer constructed in the said street and for altering the special assessment roll therefor accordingly and for providing that the balance of the said work not included in the special assessments as so altered and varied shall be borne by the said corporation.

Medical and
dental
inspection
in schools.

5. Notwithstanding anything contained in *The Public Health Act*, *The Public Schools Act*, *The Boards of Education Act* or any other general or special Act, the local board of health of the City of Hamilton shall provide medical and dental in-

Rev. Stat., cc. 262, 323, 327. spection for pupils in the schools of the said city and render such other services relating to the health and well-being of such pupils as the said board of health may deem necessary.

Commence-
ment of Act. **6.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Hamilton.

1st Reading

2nd Reading

3rd Reading

MR. JUTTEN

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Hamilton.

MR. JUTTEN

(PRIVATE BILL.)

No. 14

1934

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1934*.

Refund of
taxes to
Separate
School
Board.

Rev. Stat.,
cc. 238, 235.

2. The corporation of the city of Hamilton, having collected from the Separate School Board of the said city the sum of \$6,369.45 for local improvements charged against its properties in the said city for the years 1924 to 1932, contrary to the provisions of *The Assessment Act*, and of *The Local Improvement Act*, the council of the said corporation is authorized to refund such sum to the said board.

Refund of
water rates
to Peerless
Wire
Company.

3. The said corporation, having collected from the Peerless Wire Fence Company the sum of \$78.20 for water rates charged against its property in the said city for the years 1928 to 1933, contrary to statute, the council of the said corporation is authorized to refund such sum to the said company.

East
16th Street
sewer rates.

4. The council of the said corporation is authorized to pass by-laws for altering and varying the rates imposed upon the lands abutting on East 16th Street from Concession Street to Inverness Avenue for the cost of the sewer constructed in the said street and for altering the special assessment roll therefor accordingly and for providing that the balance of the said work not included in the special assessments as so altered and varied shall be borne by the said corporation.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Hamilton.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. JUTTEN

(*Reprinted as amended by the Private
Bills Committee.*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Hamilton.

MR. JUTTEN

No. 14

1934

BILL

An Act respecting the City of Hamilton.

Preamble.

WHEREAS the corporation of the city of Hamilton has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1934*.

Refund of
taxes to
Separate
School
Board.

2. The corporation of the city of Hamilton, having collected from the Separate School Board of the said city the sum of \$6,369.45 for local improvements charged against its properties in the said city for the years 1924 to 1932, contrary to the provisions of *The Assessment Act*, and of *The Local Improvement Act*, the council of the said corporation is authorized to refund such sum to the said board.

Rev. Stat.,
cc. 238, 235.

Refund of
water rates
to Peerless
Wire
Company.

3. The said corporation, having collected from the Peerless Wire Fence Company the sum of \$78.20 for water rates charged against its property in the said city for the years 1928 to 1933, contrary to statute, the council of the said corporation is authorized to refund such sum to the said company.

East
16th Street
sewer rates.

4. The council of the said corporation is authorized to pass by-laws for altering and varying the rates imposed upon the lands abutting on East 16th Street from Concession Street to Inverness Avenue for the cost of the sewer constructed in the said street and for altering the special assessment roll therefor accordingly and for providing that the balance of the said work not included in the special assessments as so altered and varied shall be borne by the said corporation.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Hamilton.

1st Reading

February 13th, 1934

2nd Reading

February 23rd, 1934

3rd Reading

March 5th, 1934

MR. JUTTEN

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of New Toronto.

MR. PRICE (York, West)

(PRIVATE BILL)

No. 15

1934

BILL

An Act respecting the Town of New Toronto.

Preamble.

WHEREAS the corporation of the town of New Toronto has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of New Toronto Act, 1934*.

Reconstruction of
debenture
debt
liability.

2. Without the municipality of the town of New Toronto thereby becoming subject to Part VI of *The Ontario Municipal Board Act, 1932*, the Ontario Municipal Board may, subject to the conditions therein contained, exercise all the powers conferred by sections 98, 100, 101, 102, 103 and 104 of the said Act in respect of the debenture debt and the debentures of the corporation of the town of New Toronto, and the interest thereon, and the said sections shall apply to the said corporation as if the same had been set out in this Act, except that where the word "supervisors" appears in the said sections the word "council" shall be substituted therefor.

Debentures
guaranteed
by York
County
excepted.

3. The provisions of this Act shall not apply to debentures issued by the said corporation and guaranteed by the corporation of the county of York.

Mimico
debentures
excepted in
certain
respects.

4. The provisions of this Act shall not apply to debentures issued by the corporation of the town of Mimico and guaranteed by the corporation of the town of New Toronto, except as to any amounts falling due in any year hereafter in excess of the amount which the corporation of the town of Mimico is required to pay under such new arrangement of the said debentures as may be made by the committee of supervisors of the town of Mimico.

Municipal
Board to
approve of
new capital
obligations.

5. During the years 1934, 1935 and 1936 it shall be unlawful for the council of the corporation of the town of New Toronto to pass any by-law authorizing expenditure of money on capital account, or the issue of debentures until such by-law has been submitted to and has received the approval of the Ontario Municipal Board. Any by-law so passed in contravention of this section shall have no force or effect.

Board of
Control,—
Members
and control.

6.—(1) The Ontario Municipal Board shall appoint a Board of Control for the said town of New Toronto to hold office for the period of three years from the date on which this Act comes into force to be composed of the mayor from time to time of the said town, one member to represent debenture holders and one ratepayer in the town who is not a member of council, which first mentioned member shall be the chairman of the said Board of Control and no expenditure shall be made or obligation incurred which will or may require money to be provided by the issue of debentures of the corporation until the same has received the approval of the said Board of Control.

Secretary.

(2) The treasurer of the said town shall be the secretary of the said Board of Control.

Vacancies.

(3) Where a vacancy occurs in the office of a member of the Board of Control the Ontario Municipal Board shall fill the vacancy.

Nomination
of members.

(4) Where any of the parties to be represented on the said Board of Control fail to nominate an appointee within thirty days after being requested so to do, the Ontario Municipal Board shall make the appointment without nomination being necessary.

Term of
office.

(5) The members of the said Board of Control shall hold office during the pleasure of the Ontario Municipal Board.

Limitation
of actions.

(6) So long as the said Board of Control shall continue in office no action shall be brought against the corporation of said town for the recovery of principal payable upon any of its debentures without leave of the Ontario Municipal Board.

Notice of
proposed
action.

(7) Application for leave to commence action may be made by any debenture holder upon such notice to the council of the said corporation as the Ontario Municipal Board may direct.

Powers of
Municipal
Board to
order pay-
ment of
debentures.

7.—(1) Notwithstanding the provisions of this Act should the Ontario Municipal Board at any time during the said three years so order, payment shall be made by the treasurer of the

said town on account of the principal payments on debentures which are hereby postponed.

Applications
for orders of
Board.

(2) An application for an order under this section may be made by any debenture holder, by the finance committee or by the council of the said town.

Limitation
of actions in
respect of
debentures.

(3) No action shall be brought for the recovery of the principal, payment of which is postponed by this enactment, unless an order has been made by the Ontario Municipal Board requiring payment to be made under the provisions hereof.

Corporation
not to be
deemed to
be in
default.

(4) The said corporation shall not be deemed in default by reason of the postponement authorized by this Act, and no application may be made to the said board for the appointment of a committee of supervisors under *The Ontario Municipal Board Act, 1932*, unless an order requiring payment has been made under the provisions hereof.

Authority to
sell debentures
under
By-law
No. 903.

8.—(1) Notwithstanding any statute to the contrary the said corporation may issue and sell the unsold portion of the debentures authorized by its by-law number 903, passed on the 18th day of July, 1932, and the said debentures when issued and sold shall be as valid and binding upon the corporation and the ratepayers thereof as if no default had occurred.

Postpone-
ment of
maturity of
debentures
issued under
By-law
No. 903.

(2) Notwithstanding anything contained in this Act the principal payable on the debentures issued or to be issued under the said by-law number 903 prior to the year 1937 shall be postponed in the same manner and to the same extent as if such debentures had been issued prior to the passing of this Act, and shall be payable in the three years immediately following the termination of the series of debentures of which they form a part.

Confirma-
tion of tax
sales and
conveyances.

9.—(1) All sales of land within the town of New Toronto made prior to the 31st day of December, 1932, which purport to have been made by the corporation of the said town or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs, or assigns and his or their heirs or assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein except

taxes accruing after those for non-payment of which the land was sold.

Pending
litigation not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

10. This Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the Town of
New Toronto.

1st Reading

2nd Reading

3rd Reading

MR. PRICE (York, West)

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1935

BILL

An Act respecting the Town of Walkerville.

MR. WILSON (Windsor, East)

(PRIVATE BILL)

No. 16

1934

BILL

An Act respecting the Town of Walkerville.

Preamble.

WHEREAS the corporation of the town of Walkerville has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The Town of Walkerville Act, 1934*.

Interpretation.

2. In this Act,—

(a) "Corporation" shall mean the corporation of the town of Walkerville;

(b) "Council" shall mean the council of the corporation.

Court of Revision, composition.

3.—(1) The court of revision for the corporation shall consist of three members to be appointed by the council.

Remuneration.

(2) Each member of the court of revision shall be paid such sum for his services as the council may by by-law provide.

Disqualification.

(3) No member of the council or of any board, commission or other body exercising any authority over any of the municipal or school affairs of the said town and no officer or employee of the corporation or of any such board, commission or body shall be a member of the court of revision.

Term of office.

(4) Each member of the court of revision shall hold office until his death, resignation or disqualification or the appointment of a successor and upon any vacancy arising the council shall forthwith appoint a successor.

Quorum.

(5) Two members of the court of revision shall form a quorum.

Application
of
Rev. Stat.,
c. 238.

(6) Except as aforesaid the provisions of *The Assessment Act* shall apply to the court of revision.

Authority
to issue
debentures
for
Sandwich
Street
Bridge.

4. The corporation may pass a by-law or by-laws to borrow on the credit of the corporation by the issue and sale of debentures payable in not more than thirty years from the date thereof, such sum or sums as may be necessary to repay the temporary advances and to defray the corporation's share of the cost of the reconstruction of the bridge over the tracks of the Canadian National Railway on Sandwich Street within the limits of the corporation, and no such by-law or by-laws shall require the assent of the electors entitled to vote on money by-laws or the approval of the Ontario Municipal Board under the provisions of *The Municipal Act*.

Confirma-
tion of
tax sales and
conveyances.

5.—(1) All sales of land within the town of Walkerville made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the town of Walkerville or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the land was sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

6. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the Town of Walkerville.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (Windsor, East)

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Walkerville.

MR. WILSON (Windsor, East) . . .

BILL

An Act respecting the Town of Walkerville.

Preamble.

WHEREAS the corporation of the town of Walkerville has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The Town of Walkerville Act, 1934*.

Interpretation.

2. In this Act,—

(a) "Corporation" shall mean the corporation of the town of Walkerville;

(b) "Council" shall mean the council of the corporation.

Court of Revision, composition.

3.—(1) The court of revision for the corporation shall consist of three members to be appointed by the council.

Remuneration.

(2) Each member of the court of revision shall be paid such sum for his services as the council may by by-law provide.

Disqualification.

(3) No member of the council or of any board, commission or other body exercising any authority over any of the municipal or school affairs of the said town and no officer or employee of the corporation or of any such board, commission or body shall be a member of the court of revision.

Term of office.

(4) Each member of the court of revision shall hold office until his death, resignation or disqualification or the appointment of a successor and upon any vacancy arising the council shall forthwith appoint a successor.

(5) Two members of the court of revision shall form a *Quorum*.
quorum.

(6) Except as aforesaid the provisions of *The Assessment Act* shall apply to the court of revision.

Application
of
Rev. Stat.,
c. 238.

4. The corporation may pass a by-law or by-laws to borrow on the credit of the corporation by the issue and sale of debentures payable in not more than thirty years from the date thereof, such sum or sums as may be necessary to repay the temporary advances and to defray the corporation's share of the cost of the reconstruction of the bridge over the tracks of the Canadian National Railway on Sandwich Street within the limits of the corporation, and no such by-law or by-laws shall require the assent of the electors entitled to vote on money by-laws or the approval of the Ontario Municipal Board under the provisions of *The Municipal Act*.

Authority
to issue
debentures
for
Sandwich
Street
Bridge.

5.—(1) All sales of land within the town of Walkerville made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the town of Walkerville or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns as the case may be in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the land was sold.

Confirma-
tion of
tax sales and
conveyances.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending
litigation
not
affected.

6. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1934.

Commence-
ment of Act.

BILL

An Act respecting the Town of Walkerville.

1st Reading

February 13th, 1934

2nd Reading

March 28th, 1934

3rd Reading

March 29th, 1934

MR. WILSON (Windsor, East)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of St. Thomas.

MR. RAVEN

(PRIVATE BILL)

No. 17

1934

BILL

An Act respecting the City of St. Thomas.

Preamble.

WHEREAS the corporation of the city of St. Thomas has by its petition represented that its by-law number 2983 has been submitted to and received the assent of the electors of the corporation duly qualified to vote on money by-laws and has prayed that an Act be passed to validate and confirm the said by-law and the agreement entered into pursuant thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1934*.

By-law
No. 2983
and
agreement
with
Canada
Vitrified
Products
Limited
confirmed.

2. By-law number 2983 of the corporation of the city of St. Thomas and the agreement entered into pursuant thereto, dated the 7th day of March, 1933, between the said corporation and the Canada Vitrified Products Limited are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Canada Vitrified Products Limited, its successors and assigns.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CITY OF ST. THOMAS

BY-LAW No. 2983

A BY-LAW to authorize the Corporation of the City of St. Thomas to guarantee certain Bonds or Debentures of The Canada Vitrified Products Limited.

Whereas it is desirable and expedient subject as hereinafter provided to confirm a certain Agreement dated the Seventh day of March, A.D. 1933, between The Canada Vitrified Products Limited and the Corporation of the City of St. Thomas, which said Agreement is hereto annexed as Schedule "A" and is incorporated with and forms part of said By-law;

And whereas the whole amount of the rateable property of the Municipality according to the last revised assessment roll is \$16,291,990.00;

And whereas the amount of the existing debenture debt of the Corporation exclusive of local improvement debts secured by local rates or assessments is \$1,356,119.30 and none of the principal or interest is in arrears;

Therefore the Council of the Corporation of the City of St. Thomas enacts as follows:

1. That for the purpose aforesaid it shall be lawful for the Corporation of the City of St. Thomas to guarantee payment of the bonds or debentures of The Canada Vitrified Products Limited to the amount of Forty-five Thousand (\$45,000.00) Dollars payable in five equal annual payments of Nine Thousand (\$9,000.00) Dollars each, the first of such annual payments to be paid on the First day of May, A.D. 1938, and interest on said payments at a rate not greater than Six per cent. (6%) per annum payable half yearly on the First day of May and the First day of November in each year.

2. Execution of the said Agreement on behalf of the Corporation of the City of St. Thomas is hereby authorized and confirmed and the corporate seal of the Corporation to be duly affixed.

3. The said Agreement Schedule "A" is hereby incorporated in and with and shall form part of this By-law.

4. The aforesaid bonds or debentures shall be guaranteed by the Corporation of the City of St. Thomas and shall be payable in Canadian currency at the Imperial Bank of Canada, St. Thomas, Ontario, and such guarantee shall be signed by the Mayor and Treasurer and sealed with the seal of the Corporation and may be endorsed on said bonds or debentures or annexed thereto.

5. This by-law shall subject to the assent of the electors of the City of St. Thomas duly qualified to vote thereon having been obtained thereto, come into force and take effect on the final passing thereof.

Read a first time this Seventh day of March, A.D. 1933.

Read a second time the Seventh day of March, A.D. 1933.

Read a third time and finally passed this 2nd day of May, A.D. 1933.

(Sgd.) EDNA M. BENNETT,
City Clerk.

(Sgd.) JOHN A. JAGOE,
Mayor.

Schedule "A" to By-law No. 2983

AGREEMENT

This Agreement made this 7th day of March, A.D. 1933.

BETWEEN:

THE CANADA VITRIFIED PRODUCTS, LIMITED
(hereinafter called the "Company"),

of the first part:

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF
ST. THOMAS (hereinafter called the "Corporation"),

of the second part:

Whereas the Company has purchased all the assets, real and personal of the Company of the same name, together with the plant and equipment, situated in the City of St. Thomas, and the clay deposits owned by the former company and situated at Negley, Ohio;

And whereas the Company requires to raise the sum of \$45,000 for effectively carrying on the business, by the issue of First Mortgage Bonds, and has asked the Corporation to guarantee the payment of the same;

And whereas the Corporation is willing to submit a By-law to its qualified ratepayers for their approval and if approved to co-operate in securing the ratification and confirmation of such By-law by the Legislature of the Province of Ontario authorizing the Corporation to aid the Company to the extent and in the manner hereinafter more particularly set forth:

Now therefore this Agreement witnesseth that in consideration of the premises and of the terms, agreements, conditions and stipulations hereinafter set forth, the parties hereto hereby agree each with the other as follows:

THE COMPANY AGREES:

(a) To obtain a loan of \$45,000 and secure the payment thereof by creating and issuing debentures, bearing interest at the rate of six per cent. per annum from the first day of May, 1933, interest to be payable half yearly on the first days of the months of May and November in each year, beginning the first day of November, 1933, and the principal to be payable at the rate of \$9,000.00 per annum, commencing the first day of May, 1938, and continuing yearly on the first day of May until the same is fully paid.

(b) That it will continue its said business in the City of St. Thomas and will engage and keep engaged a staff of at least twenty employees on an average during each and every week for the period of ten years, or until said indebtedness is fully paid, and will pay at least \$30,000.00 during each and every year of the said ten years in salaries and wages to those in its service in the City of St. Thomas.

(c) To secure the payment of its debentures, which when paid will retire the said loan, the Company will mortgage in favour of the City its factory, plant and all other buildings, and any other real property owned by it in the city or elsewhere, represented by the Company as having a cost value of approximately \$300,000.00, such mortgage to be in form and in terms approved of by the Corporation.

(d) To pay to the City of St. Thomas the sum of \$1,000.00 representing the cost of submitting the By-law to the ratepayers and assisting in securing

its ratification by the Legislature of the Province of Ontario; the sum of \$500.00 on the first reading of the By-law and the balance on or before the 23rd day of March, 1933, and the Company shall pay to the Corporation any additional costs, charges and expenses of such submission and ratification forthwith on the same being ascertained.

(e) To set aside as a reserve twenty-five per cent. of the net profits of the Company each year until the reserve amounts to the full amount of all outstanding indebtedness of the Company which is guaranteed by the City, and maintain this reserve until such indebtedness is paid.

(f) That all the employees of the Company until the loan is fully paid off shall reside in the City of St. Thomas.

(g) To obtain and deliver to the Corporation the life insurance policy, or policies, on one or more of its officers approved of by the Corporation, for \$10,000.00 payable to the Corporation, for value as security and indemnity for repayment of said loan.

(h) The books of the Company shall be open at all reasonable times to the auditor of the City each year for his examination until the loan has been retired.

THE CORPORATION AGREES:

(a) Subject to the terms and agreements aforesaid being fully carried out and performed by the Company, to submit to the electors duly qualified to vote on money By-laws for their approval and sanction a By-law to authorize it to guarantee the Company's debentures to the extent of \$45,000.00 together with interest on the same at six per cent. per annum as hereinbefore more particularly set forth and described.

(b) To guarantee the debentures and interest thereon as aforesaid in the event of such By-law being ratified and confirmed.

(c) To co-operate with the Company in obtaining the ratification and confirmation of such By-law by the Legislature of the Province of Ontario.

It is understood and agreed that in case such By-law is not ratified and confirmed by the ratepayers and by the Legislature of the Province of Ontario, then this agreement shall be null and void.

In witness whereof the parties hereto have caused their respective corporate seals to be affixed under the hands of their respective signing officers.

Signed, Sealed and Delivered:

BILL

An Act respecting the City of St. Thomas.

1st Reading

2nd Reading

3rd Reading

MR. RAVEN

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of St. Thomas.

MR. RAVEN

(PRIVATE BILL)

BILL

An Act respecting the City of St. Thomas.

Preamble.

WHEREAS the corporation of the city of St. Thomas has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1934*.

By-laws
Nos. 2983,
3041, and
agreement
with
Canada
Vitrified
Products
Limited
confirmed.

2. By-laws numbers 2983 and 3041 of the corporation of the city of St. Thomas and the agreement entered into pursuant thereto, dated the 7th day of March, 1933, between the said corporation and the Canada Vitrified Products Limited as set forth in schedule "A" to this Act are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Canada Vitrified Products Limited, its successors and assigns.

Approval of
Ontario
Municipal
Board
requisite.

3.—(1) Notwithstanding the provisions of section 2 or of the by-laws and agreement therein confirmed no action shall be taken by the council of the corporation of the city of St. Thomas to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of the Canada Vitrified Products Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

Inquiry by
Ontario
Municipal
Board.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"
CITY OF ST. THOMAS

BY-LAW No. 2983

A BY-LAW to authorize the Corporation of the City of St. Thomas to guarantee certain Bonds or Debentures of The Canada Vitriified Products Limited.

Whereas it is desirable and expedient subject as hereinafter provided to confirm a certain Agreement dated the Seventh day of March, A.D. 1933, between The Canada Vitriified Products Limited and the Corporation of the City of St. Thomas, which said Agreement is hereto annexed as Schedule "A" and is incorporated with and forms part of said By-law;

And whereas the whole amount of the rateable property of the Municipality according to the last revised assessment roll is \$16,291,990.00;

And whereas the amount of the existing debenture debt of the Corporation exclusive of local improvement debts secured by local rates or assessments is \$1,356,119.30 and none of the principal or interest is in arrears;

Therefore the Council of the Corporation of the City of St. Thomas enacts as follows:

1. That for the purpose aforesaid it shall be lawful for the Corporation of the City of St. Thomas to guarantee payment of the bonds or debentures of The Canada Vitriified Products Limited to the amount of Forty-five Thousand (\$45,000.00) Dollars payable in five equal annual payments of Nine Thousand (\$9,000.00) Dollars each, the first of such annual payments to be paid on the First day of May, A.D. 1938, and interest on said payments at a rate not greater than Six per cent. (6%) per annum payable half yearly on the First day of May and the First day of November in each year.

2. Execution of the said Agreement on behalf of the Corporation of the City of St. Thomas is hereby authorized and confirmed and the corporate seal of the Corporation to be duly affixed.

3. The said Agreement Schedule "A" is hereby incorporated in and with and shall form part of this By-law.

4. The aforesaid bonds or debentures shall be guaranteed by the Corporation of the City of St. Thomas and shall be payable in Canadian currency at the Imperial Bank of Canada, St. Thomas, Ontario, and such guarantee shall be signed by the Mayor and Treasurer and sealed with the seal of the Corporation and may be endorsed on said bonds or debentures or annexed thereto.

5. This by-law shall subject to the assent of the electors of the City of St. Thomas duly qualified to vote thereon having been obtained thereto, come into force and take effect on the final passing thereof.

Read a first time this Seventh day of March, A.D. 1933.

Read a second time the Seventh day of March, A.D. 1933.

Read a third time and finally passed this 2nd day of May, A.D. 1933.

(Sgd.) EDNA M. BENNETT,
City Clerk.

(Sgd.) JOHN A. JAGOE,
Mayor.

Schedule "A" to By-law No. 2983

AGREEMENT

This Agreement made this 7th day of March, A.D. 1933.

BETWEEN:

THE CANADA VITRIFIED PRODUCTS, LIMITED
(hereinafter called the "Company"),

of the first part:

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF
ST. THOMAS (hereinafter called the "Corporation"),

of the second part:

Whereas the Company has purchased all the assets, real and personal of the Company of the same name, together with the plant and equipment, situated in the City of St. Thomas, and the clay deposits owned by the former company and situated at Negley, Ohio;

And whereas the Company requires to raise the sum of \$45,000 for effectively carrying on the business, by the issue of First Mortgage Bonds, and has asked the Corporation to guarantee the payment of the same;

And whereas the Corporation is willing to submit a By-law to its qualified ratepayers for their approval and if approved to co-operate in securing the ratification and confirmation of such By-law by the Legislature of the Province of Ontario authorizing the Corporation to aid the Company to the extent and in the manner hereinafter more particularly set forth:

Now therefore this Agreement witnesseth that in consideration of the premises and of the terms, agreements, conditions and stipulations hereinafter set forth, the parties hereto hereby agree each with the other as follows:

THE COMPANY AGREES:

(a) To obtain a loan of \$45,000 and secure the payment thereof by creating and issuing debentures, bearing interest at the rate of six per cent. per annum from the first day of May, 1933, interest to be payable half yearly on the first days of the months of May and November in each year, beginning the first day of November, 1933, and the principal to be payable at the rate of \$9,000.00 per annum, commencing the first day of May, 1938, and continuing yearly on the first day of May until the same is fully paid.

(b) That it will continue its said business in the City of St. Thomas and will engage and keep engaged a staff of at least twenty employees on an average during each and every week for the period of ten years, or until said indebtedness is fully paid, and will pay at least \$30,000.00 during each and every year of the said ten years in salaries and wages to those in its service in the City of St. Thomas.

(c) To secure the payment of its debentures, which when paid will retire the said loan, the Company will mortgage in favour of the City its factory, plant and all other buildings, and any other real property owned by it in the city or elsewhere, represented by the Company as having a cost value of approximately \$300,000.00, such mortgage to be in form and in terms approved of by the Corporation.

(d) To pay to the City of St. Thomas the sum of \$1,000.00 representing the cost of submitting the By-law to the ratepayers and assisting in securing

its ratification by the Legislature of the Province of Ontario; the sum of \$500.00 on the first reading of the By-law and the balance on or before the 23rd day of March, 1933, and the Company shall pay to the Corporation any additional costs, charges and expenses of such submission and ratification forthwith on the same being ascertained.

(e) To set aside as a reserve twenty-five per cent. of the net profits of the Company each year until the reserve amounts to the full amount of all outstanding indebtedness of the Company which is guaranteed by the City, and maintain this reserve until such indebtedness is paid.

(f) That all the employees of the Company until the loan is fully paid off shall reside in the City of St. Thomas.

(g) To obtain and deliver to the Corporation the life insurance policy, or policies, on one or more of its officers approved of by the Corporation, for \$10,000.00 payable to the Corporation, for value as security and indemnity for repayment of said loan.

(h) The books of the Company shall be open at all reasonable times to the auditor of the City each year for his examination until the loan has been retired.

THE CORPORATION AGREES:

(a) Subject to the terms and agreements aforesaid being fully carried out and performed by the Company, to submit to the electors duly qualified to vote on money By-laws for their approval and sanction a By-law to authorize it to guarantee the Company's debentures to the extent of \$45,000.00 together with interest on the same at six per cent. per annum as hereinbefore more particularly set forth and described.

(b) To guarantee the debentures and interest thereon as aforesaid in the event of such By-law being ratified and confirmed.

(c) To co-operate with the Company in obtaining the ratification and confirmation of such By-law by the Legislature of the Province of Ontario.

It is understood and agreed that in case such By-law is not ratified and confirmed by the ratepayers and by the Legislature of the Province of Ontario, then this agreement shall be null and void.

In witness whereof the parties hereto have caused their respective corporate seals to be affixed under the hands of their respective signing officers.

Signed, Sealed and Delivered:



BY-LAW No. 3041

Being a By-law relating to Canada Vitrified Products Limited.

The Council of the Corporation of the City of St. Thomas, in pursuance of all powers thereto enabling, enacts as follows:

1. That subject as hereinafter mentioned By-law Number 2983 of the City of St. Thomas, and the Agreement therein mentioned be and is hereby ratified and confirmed except that Canada Vitrified Products Limited shall be held to mean and to be Canada Vitrified Products Limited named in Letters Patent dated the 21st day of September, A.D. 1933, and recorded the 8th day of December, A.D. 1933, as Number 78 in *liber* 308 in the office of the Provincial Secretary of the Province of Ontario.

2. That without modification of the generality of Clause (C) of the Agreement aforesaid the Mortgage therein referred to shall be a first mortgage or charge against all the real estate, buildings, plant, machinery and equipment of Canada Vitrified Products Limited including clay pits of said Company wherever situated.

3. That the Application of the proceeds of sale derived from the debentures guaranteed by the Corporation of the City of St. Thomas shall be subject to the approval of the Ontario Municipal Board.

4. That Canada Vitrified Products Limited shall by the proper officers thereof and with the Corporate Seal affixed execute the Agreement mentioned in said By-law Number 2983 and a further Agreement executed in like manner aforesaid before this By-law becomes operative.

5. That the Mayor and Clerk of the Corporation are hereby authorized and empowered to execute such Agreement and affix the Corporate Seal thereto.

Read a first time this 3rd day of March, A.D. 1934.

Read a second and third time this 3rd day of March, A.D. 1934.

EDNA M. BENNETT,
Clerk.

A. N. JOHNSON,
Mayor.



BILL

An Act respecting the City of St. Thomas.

1st Reading

February 27th, 1934

2nd Reading

3rd Reading

MR. RAVEN

*(Reprinted as amended by the Private
Bills Committee)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of St. Thomas.

MR. RAVEN

BILL

An Act respecting the City of St. Thomas.

Preamble.

WHEREAS the corporation of the city of St. Thomas has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1934*.

By-laws
Nos. 2983,
3041, and
agreement
with
Canada
Vitrified
Products
Limited
confirmed.

2. By-laws numbers 2983 and 3041 of the corporation of the city of St. Thomas and the agreement entered into pursuant thereto, dated the 7th day of March, 1933, between the said corporation and the Canada Vitrified Products Limited as set forth in schedule "A" to this Act are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Canada Vitrified Products Limited, its successors and assigns.

Approval of
Ontario
Municipal
Board
requisite.

3.—(1) Notwithstanding the provisions of section 2 or of the by-laws and agreement therein confirmed no action shall be taken by the council of the corporation of the city of St. Thomas to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of the Canada Vitrified Products Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

Inquiry by
Ontario
Municipal
Board.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"
CITY OF ST. THOMAS

BY-LAW No. 2983

A BY-LAW to authorize the Corporation of the City of St. Thomas to guarantee certain Bonds or Debentures of The Canada Vitrified Products Limited.

Whereas it is desirable and expedient subject as hereinafter provided to confirm a certain Agreement dated the Seventh day of March, A.D. 1933, between The Canada Vitrified Products Limited and the Corporation of the City of St. Thomas, which said Agreement is hereto annexed as Schedule "A" and is incorporated with and forms part of said By-law;

And whereas the whole amount of the rateable property of the Municipality according to the last revised assessment roll is \$16,291,990.00;

And whereas the amount of the existing debenture debt of the Corporation exclusive of local improvement debts secured by local rates or assessments is \$1,356,119.30 and none of the principal or interest is in arrears;

Therefore the Council of the Corporation of the City of St. Thomas enacts as follows:

1. That for the purpose aforesaid it shall be lawful for the Corporation of the City of St. Thomas to guarantee payment of the bonds or debentures of The Canada Vitrified Products Limited to the amount of Forty-five Thousand (\$45,000.00) Dollars payable in five equal annual payments of Nine Thousand (\$9,000.00) Dollars each, the first of such annual payments to be paid on the First day of May, A.D. 1938, and interest on said payments at a rate not greater than Six per cent. (6%) per annum payable half yearly on the First day of May and the First day of November in each year.

2. Execution of the said Agreement on behalf of the Corporation of the City of St. Thomas is hereby authorized and confirmed and the corporate seal of the Corporation to be duly affixed.

3. The said Agreement Schedule "A" is hereby incorporated in and with and shall form part of this By-law.

4. The aforesaid bonds or debentures shall be guaranteed by the Corporation of the City of St. Thomas and shall be payable in Canadian currency at the Imperial Bank of Canada, St. Thomas, Ontario, and such guarantee shall be signed by the Mayor and Treasurer and sealed with the seal of the Corporation and may be endorsed on said bonds or debentures or annexed thereto.

5. This by-law shall subject to the assent of the electors of the City of St. Thomas duly qualified to vote thereon having been obtained thereto, come into force and take effect on the final passing thereof.

Read a first time this Seventh day of March, A.D. 1933.

Read a second time the Seventh day of March, A.D. 1933.

Read a third time and finally passed this 2nd day of May, A.D. 1933.

(Sgd.) EDNA M. BENNETT,
City Clerk.

(Sgd.) JOHN A. JAGOE,
Mayor.

Schedule "A" to By-law No. 2983

AGREEMENT

This Agreement made this 7th day of March, A.D. 1933.

BETWEEN:

THE CANADA VITRIFIED PRODUCTS, LIMITED
(hereinafter called the "Company"),

of the first part:

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF
ST. THOMAS (hereinafter called the "Corporation"),

of the second part:

Whereas the Company has purchased all the assets, real and personal of the Company of the same name, together with the plant and equipment, situated in the City of St. Thomas, and the clay deposits owned by the former company and situated at Negley, Ohio;

And whereas the Company requires to raise the sum of \$45,000 for effectively carrying on the business, by the issue of First Mortgage Bonds, and has asked the Corporation to guarantee the payment of the same;

And whereas the Corporation is willing to submit a By-law to its qualified ratepayers for their approval and if approved to co-operate in securing the ratification and confirmation of such By-law by the Legislature of the Province of Ontario authorizing the Corporation to aid the Company to the extent and in the manner hereinafter more particularly set forth:

Now therefore this Agreement witnesseth that in consideration of the premises and of the terms, agreements, conditions and stipulations hereinafter set forth, the parties hereto hereby agree each with the other as follows:

THE COMPANY AGREES:

(a) To obtain a loan of \$45,000 and secure the payment thereof by creating and issuing debentures, bearing interest at the rate of six per cent. per annum from the first day of May, 1933, interest to be payable half yearly on the first days of the months of May and November in each year, beginning the first day of November, 1933, and the principal to be payable at the rate of \$9,000.00 per annum, commencing the first day of May, 1938, and continuing yearly on the first day of May until the same is fully paid.

(b) That it will continue its said business in the City of St. Thomas and will engage and keep engaged a staff of at least twenty employees on an average during each and every week for the period of ten years, or until said indebtedness is fully paid, and will pay at least \$30,000.00 during each and every year of the said ten years in salaries and wages to those in its service in the City of St. Thomas.

(c) To secure the payment of its debentures, which when paid will retire the said loan, the Company will mortgage in favour of the City its factory, plant and all other buildings, and any other real property owned by it in the city or elsewhere, represented by the Company as having a cost value of approximately \$300,000.00, such mortgage to be in form and in terms approved of by the Corporation.

(d) To pay to the City of St. Thomas the sum of \$1,000.00 representing the cost of submitting the By-law to the ratepayers and assisting in securing

its ratification by the Legislature of the Province of Ontario; the sum of \$500.00 on the first reading of the By-law and the balance on or before the 23rd day of March, 1933, and the Company shall pay to the Corporation any additional costs, charges and expenses of such submission and ratification forthwith on the same being ascertained.

(e) To set aside as a reserve twenty-five per cent. of the net profits of the Company each year until the reserve amounts to the full amount of all outstanding indebtedness of the Company which is guaranteed by the City, and maintain this reserve until such indebtedness is paid.

(f) That all the employees of the Company until the loan is fully paid off shall reside in the City of St. Thomas.

(g) To obtain and deliver to the Corporation the life insurance policy, or policies, on one or more of its officers approved of by the Corporation, for \$10,000.00 payable to the Corporation, for value as security and indemnity for repayment of said loan.

(h) The books of the Company shall be open at all reasonable times to the auditor of the City each year for his examination until the loan has been retired.

THE CORPORATION AGREES:

(a) Subject to the terms and agreements aforesaid being fully carried out and performed by the Company, to submit to the electors duly qualified to vote on money By-laws for their approval and sanction a By-law to authorize it to guarantee the Company's debentures to the extent of \$45,000.00 together with interest on the same at six per cent. per annum as hereinbefore more particularly set forth and described.

(b) To guarantee the debentures and interest thereon as aforesaid in the event of such By-law being ratified and confirmed.

(c) To co-operate with the Company in obtaining the ratification and confirmation of such By-law by the Legislature of the Province of Ontario.

It is understood and agreed that in case such By-law is not ratified and confirmed by the ratepayers and by the Legislature of the Province of Ontario, then this agreement shall be null and void.

In witness whereof the parties hereto have caused their respective corporate seals to be affixed under the hands of their respective signing officers.

Signed, Sealed and Delivered:

BY-LAW No. 3041

Being a By-law relating to Canada Vitrified Products Limited.

The Council of the Corporation of the City of St. Thomas, in pursuance of all powers thereto enabling, enacts as follows:

1. That subject as hereinafter mentioned By-law Number 2983 of the City of St. Thomas, and the Agreement therein mentioned be and is hereby ratified and confirmed except that Canada Vitrified Products Limited shall be held to mean and to be Canada Vitrified Products Limited named in Letters Patent dated the 21st day of September, A.D. 1933, and recorded the 8th day of December, A.D. 1933, as Number 78 in *liber* 308 in the office of the Provincial Secretary of the Province of Ontario.

2. That without modification of the generality of Clause (C) of the Agreement aforesaid the Mortgage therein referred to shall be a first mortgage or charge against all the real estate, buildings, plant, machinery and equipment of Canada Vitrified Products Limited including clay pits of said Company wherever situated.

3. That the Application of the proceeds of sale derived from the debentures guaranteed by the Corporation of the City of St. Thomas shall be subject to the approval of the Ontario Municipal Board.

4. That Canada Vitrified Products Limited shall by the proper officers thereof and with the Corporate Seal affixed execute the Agreement mentioned in said By-law Number 2983 and a further Agreement executed in like manner aforesaid before this By-law becomes operative.

5. That the Mayor and Clerk of the Corporation are hereby authorized and empowered to execute such Agreement and affix the Corporate Seal thereto.

Read a first time this 3rd day of March, A.D. 1934.

Read a second and third time this 3rd day of March, A.D. 1934.

EDNA M. BENNETT,
Clerk.

A. N. JOHNSON,
Mayor.

BILL

An Act respecting the City of St. Thomas.

1st Reading

February 27th, 1934

2nd Reading

March 16th, 1934

3rd Reading

March 21st, 1934

MR. RAVEN

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act to incorporate the Kenora Young Men's Christian Association.

MR. HUTCHINSON

(PRIVATE BILL)

BILL

An Act to incorporate the Kenora Young Men's Christian Association.

Preamble.

WHEREAS the Kenora Young Men's Christian Association has been carrying on its work for several years and it has been deemed advisable that the said association shall become an incorporated body, and certain of the members of the said association have prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Kenora Young Men's Christian Association Act, 1934.*

Incorporation.

2. Dr. J. P. Paton, Dr. W. J. Gunn, H. H. Tate, G. M. Rioch, H. M. Brown, G. Geddes, J. P. Earngey, A. T. Fife, E. Appleton, F. Edwards, and such other persons as are now members of the Kenora Young Men's Christian Association and also all others who shall hereafter become members of the corporate body hereby created are hereby constituted a body corporate and politic under the name of the "Kenora Young Men's Christian Association," hereinafter called the "association."

Vesting of property.

3. All property real and personal now belonging to or held in trust for the Kenora Young Men's Christian Association shall henceforth be vested in the association to be held, used and administered subject to the provisions of this Act in accordance with the constitution and by-laws adopted or to be adopted by the association as the same may be added to or repealed according to the provisions of the said constitution and by-laws.

Property liable for existing debts.

4. All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts or any obligations heretofore contracted or incurred in respect

thereto to the same extent as it would have been liable therefor had this Act not been passed.

Power to
acquire and
dispose of
real estate.

5. The said association shall have power to acquire and hold in the town of Kenora and the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; Provided that no land at any time acquired by the association and not required for its actual use and occupation, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Proviso.

Constitution
and by-laws
confirmed.

6. The constitution and by-laws as passed by the provisional board of directors of the association are hereby declared to be the constitution and by-laws of the said association, but they or any of them may be added to, amended or repealed and others substituted therefor, as provided in the said constitution and by-laws and in accordance with the terms of this Act.

Officers and
directors.

7. The officers of the provisional board of directors of the association shall be the officers of the said association and shall retain their respective offices until others shall be elected in their places, under the constitution and by-laws of the association.

Objects of
association.

8. The object of the said association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading, and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the town of Kenora and the vicinity thereof. The said association shall have the power to make all or part of its facilities and equipment available for use by young women and girls and by such community organizations as may have as their object the general good of the citizens of the town upon such terms and conditions as may be determined by the association.

Power to
extend
privileges
to others.

Exemption
from
taxation.

9. The buildings, lands, equipment and undertaking of or used by the said association so long as and to the extent to which they are occupied by, used and carried on for the

Fixed
assessment.

Reduction
of fixed
assessment.

purpose of the said association are declared to be exempted from taxation except for local improvements and school purposes and the assessment of the lands and buildings so used shall be fixed at \$15,000. The council of the town of Kenora shall also have power at any time to reduce such fixed assessment to such figure as they may deem in the best interests of the town, upon the buildings, lands, equipment and undertaking of or used by the said association.

Borrowing
powers.

10. The said association shall have power to borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property real and personal as security for any loan.

Endowment
fund.

11. The association shall have power to establish an endowment fund or funds for the purpose of promoting and extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

Loaning.

12. The said association shall have power to lend money upon the security of real estate and to invest and reinvest any of its funds and moneys in any debentures or municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Grants.

13. The council of the corporation of the town of Kenora may make grants to the association to assist it in carrying out its objects.

Commence-
ment of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act to incorporate the Kenora Young
Men's Christian Association.

1st Reading

2nd Reading

3rd Reading

MR. HUTCHINSON

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act to incorporate the Kenora Young Men's Christian Association.

MR. HUTCHINSON

(PRIVATE BILL.)

No 18

1934

BILL

An Act to incorporate the Kenora Young Men's Christian Association.

Preamble.

WHEREAS the Kenora Young Men's Christian Association has been carrying on its work for several years and it has been deemed advisable that the said association shall become an incorporated body, and certain of the members of the said association have prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Kenora Young Men's Christian Association Act, 1934*.

Incorporation.

2. Dr. J. P. Paton, Dr. W. J. Gunn, H. H. Tate, G. M. Rioch, H. M. Brown, G. Geddes, J. P. Earngey, A. T. Fife, E. Appleton, F. Edwards, and such other persons as are now members of the Kenora Young Men's Christian Association and also all others who shall hereafter become members of the corporate body hereby created are hereby constituted a body corporate and politic under the name of the "Kenora Young Men's Christian Association," hereinafter called the "association."

Vesting of property.

3. All property real and personal now belonging to or held in trust for the Kenora Young Men's Christian Association shall henceforth be vested in the association to be held, used and administered subject to the provisions of this Act in accordance with the constitution and by-laws adopted or to be adopted by the association as the same may be added to or repealed according to the provisions of the said constitution and by-laws.

Property liable for existing debts.

4. All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts or any obligations heretofore contracted or incurred in respect

thereto to the same extent as it would have been liable therefor had this Act not been passed.

Power to acquire and dispose of real estate.

5. The said association shall have power to acquire and hold in the town of Kenora and the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; Provided that no land at any time acquired by the association and not required for its actual use and occupation, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Proviso.

Provisional directors.

6.—(1) The provisional directors of the association shall be the said J. P. Paton, W. J. Gunn, H. H. Tate, G. McReoch, H. M. Brown, G. Geddes, J. P. Earngey, A. T. Fife, E. Appleton and F. Edwards who shall hold office until the first annual general meeting of the members of the association hereby incorporated, which shall be held not later than the 1st day of June, 1934.

Provisional constitution and by-laws.

(2) It shall be the duty of the provisional directors to adopt a provisional constitution and by-laws of the association and submit the same to the first annual general meeting of the members of the association for their consideration and confirmation, and the said provisional constitution and by-laws when so confirmed or as the same may be varied and amended at the said meeting shall be the constitution and by-laws of the associations subject to any addition to, amendment or variation of or substitution for the same as may afterwards be made as provided for therein.

First directors.


(3) At the said first annual general meeting the directors of the association shall be elected as provided for in the provisional constitution and by-laws, and the directors so elected shall hold office in accordance with the constitution and by-laws as finally confirmed and adopted at such meeting.

Copies of by-laws, etc., to be sent to members.

(4) The provisional directors shall furnish each member of the association with a copy of the provisional constitution and by-laws at least fourteen days prior to the date upon which the said first annual general meeting is to be held and shall at the same time give notice of such meeting to the members.

One director to be appointed by town council.

(5) The constitution and by-laws of the association shall provide that one of the directors of the association shall be

such person, resident in the town of Kenora as the council of the said town may appoint to hold office for the same term as the other directors, and the appointment to any vacancy in the office of such director and the appointment of his successor shall be vested in the said council. 

Officers and directors.

7. The officers of the provisional board of directors of the association shall be the officers of the said association and shall retain their respective offices until others shall be elected in their places, under the constitution and by-laws of the association.

Objects of association.

8. The object of the said association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading, and recreation rooms, libraries, gymnasias, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the town of Kenora and the vicinity thereof. The said association shall have the power to make all or part of its facilities and equipment available for use by young women and girls and by such community organizations as may have as their object the general good of the citizens of the town upon such terms and conditions as may be determined by the association.

Power to extend privileges to others.

Exemption from taxation.

9. The buildings, lands, equipment and undertaking of or used by the said association so long as and to the extent to which they are occupied by, used and carried on for the purpose of the said association as set forth in section 8 are declared to be exempted from taxation except for local improvements and school purposes and the assessment of the lands and buildings so used shall be fixed at \$15,000. The council of the town of Kenora shall also have power at any time to reduce such fixed assessment to such figure as they may deem in the best interests of the town, upon the buildings, lands, equipment and undertaking of or used by the said association; provided that any by-law for the purpose of effecting such reduction shall before the same is finally passed shall have received the assent of the electors of the said town qualified to vote on money by-laws.

Fixed assessment.
Reduction of fixed assessment.

Borrowing powers.

10. The said association shall have power to borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property real and personal as security for any loan.

Endowment fund.

11. The association shall have power to establish an endowment fund or funds for the purpose of promoting and

extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

Loaning.

12. The said association shall have power to lend money upon the security of real estate and to invest and reinvest any of its funds and moneys in any debentures or municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Commence-
ment of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act to incorporate the Kenora Young
Men's Christian Association.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. HUTCHINSON

*(Reprinted as amended by the Private Bills
Committee.)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act to incorporate the Kenora Young Men's Christian Association.

MR. HUTCHINSON

No 18

1934

BILL

An Act to incorporate the Kenora Young Men's Christian Association.

Preamble.

WHEREAS the Kenora Young Men's Christian Association has been carrying on its work for several years and it has been deemed advisable that the said association shall become an incorporated body, and certain of the members of the said association have prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Kenora Young Men's Christian Association Act, 1934.*

Incorporation.

2. Dr. J. P. Paton, Dr. W. J. Gunn, H. H. Tate, G. M. Rioch, H. M. Brown, G. Geddes, J. P. Earngey, A. T. Fife, E. Appleton, F. Edwards, and such other persons as are now members of the Kenora Young Men's Christian Association and also all others who shall hereafter become members of the corporate body hereby created are hereby constituted a body corporate and politic under the name of the "Kenora Young Men's Christian Association," hereinafter called the "association."

Vesting of property.

3. All property real and personal now belonging to or held in trust for the Kenora Young Men's Christian Association shall henceforth be vested in the association to be held, used and administered subject to the provisions of this Act in accordance with the constitution and by-laws adopted or to be adopted by the association as the same may be added to or repealed according to the provisions of the said constitution and by-laws.

Property liable for existing debts.

4. All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts or any obligations heretofore contracted or incurred in respect

thereto to the same extent as it would have been liable therefor had this Act not been passed.

5. The said association shall have power to acquire and hold in the town of Kenora and the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; Provided that no land at any time acquired by the association and not required for its actual use and occupation, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Power to acquire and dispose of real estate.
Proviso.

6.—(1) The provisional directors of the association shall be the said J. P. Paton, W. J. Gunn, H. H. Tate, G. McReoch, H. M. Brown, G. Geddes, J. P. Earngey, A. T. Fife, E. Appleton and F. Edwards who shall hold office until the first annual general meeting of the members of the association hereby incorporated, which shall be held not later than the 1st day of June, 1934.

Provisional directors.

(2) It shall be the duty of the provisional directors to adopt a provisional constitution and by-laws of the association and submit the same to the first annual general meeting of the members of the association for their consideration and confirmation, and the said provisional constitution and by-laws when so confirmed or as the same may be varied and amended at the said meeting shall be the constitution and by-laws of the associations subject to any addition to, amendment or variation of or substitution for the same as may afterwards be made as provided for therein.

Provisional constitution and by-laws.

(3) At the said first annual general meeting the directors of the association shall be elected as provided for in the provisional constitution and by-laws, and the directors so elected shall hold office in accordance with the constitution and by-laws as finally confirmed and adopted at such meeting.

First directors.

(4) The provisional directors shall furnish each member of the association with a copy of the provisional constitution and by-laws at least fourteen days prior to the date upon which the said first annual general meeting is to be held and shall at the same time give notice of such meeting to the members.

Copies of by-laws, etc., to be sent to members.

(5) The constitution and by-laws of the association shall provide that one of the directors of the association shall be

One director to be appointed by town council.

such person, resident in the town of Kenora as the council of the said town may appoint to hold office for the same term as the other directors, and the appointment to any vacancy in the office of such director and the appointment of his successor shall be vested in the said council.

Officers and directors.

7. The officers of the provisional board of directors of the association shall be the officers of the said association and shall retain their respective offices until others shall be elected in their places, under the constitution and by-laws of the association.

Objects of association.

8. The object of the said association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading, and recreation rooms, libraries, gymnasia, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the town of Kenora and the vicinity thereof. The said association shall have the power to make all or part of its facilities and equipment available for use by young women and girls and by such community organizations as may have as their object the general good of the citizens of the town upon such terms and conditions as may be determined by the association.

Power to extend privileges to others.

Exemption from taxation.

9. The buildings, lands, equipment and undertaking of or used by the said association so long as and to the extent to which they are occupied by, used and carried on for the purpose of the said association as set forth in section 8 are declared to be exempted from taxation except for local improvements and school purposes and the assessment of the lands and buildings so used shall be fixed at \$15,000. The council of the town of Kenora shall also have power at any time to reduce such fixed assessment to such figure as they may deem in the best interests of the town, upon the buildings, lands, equipment and undertaking of or used by the said association; provided that any by-law for the purpose of effecting such reduction shall before the same is finally passed shall have received the assent of the electors of the said town qualified to vote on money by-laws.

Fixed assessment.
Reduction of fixed assessment.

Borrowing powers.

10. The said association shall have power to borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property real and personal as security for any loan.

Endowment fund.

11. The association shall have power to establish an endowment fund or funds for the purpose of promoting and

extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

12. The said association shall have power to lend money ^{Loaning.} upon the security of real estate and to invest and reinvest any of its funds and moneys in any debentures or municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

13. This Act shall come into force on the day upon which ^{Commence-} it receives the Royal Assent. _{ment of Act.}

BILL

An Act to incorporate the Kenora Young
Men's Christian Association.

1st Reading

February 13th, 1934

2nd Reading

March 2nd, 1934

3rd Reading

March 7th, 1934

MR. HUTCHINSON

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act to incorporate the Village of Port Sydney.

MR. ECCLESTONE.

(PRIVATE BILL)

No. 19

1934

BILL

An Act to incorporate the Village of Port Sydney.

Preamble.

WHEREAS George E. Cadieux, Matthew McClure, George Gardiner, all residents of the unincorporated village of Port Sydney in the township of Stephenson, in the district of Muskoka, have by their petition represented that the said village has a resident population of 140 inhabitants or thereabouts, which is steadily increasing; and whereas the population of the said village is largely increased in the summer time by the influx of owners of summer cottages and summer residents, so that the resident population in the summer months is increased to about 600 inhabitants; and whereas the said village is a noted summer resort which attracts large numbers of summer visitors from many parts of Canada and the United States; and whereas the inhabitants of the said village have by their petition represented that they are desirous of becoming incorporated as a village, that there is great difficulty in equalizing the values of village and farm properties in said township which is large and scattered, and that its finances could be better husbanded and used to more equitable advantage, and that its progress, interest and prosperity would be promoted if the said village were incorporated; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Port Sydney Act, 1934*.

Incorporation as a village.

2. From and after the holding of the first election under this Act, the inhabitants of the said village of Port Sydney shall be, and they are hereby constituted a corporation and body politic under the name of "The Corporation of the Village of Port Sydney," separate and apart from the township of Stephenson, in which the said village is situate, and shall enjoy and have all the rights, powers and privileges which

could have been enjoyed and exercised by the said village of Port Sydney if the same had been incorporated under the provisions of *The Municipal Act*.

Rev. Stat. 1
c. 233.

Boundaries
of village.

3. The said village shall comprise and consist of all that part of the said township of Stephenson, described as follows: All and singular that certain parcel or tract of land and land covered by water and premises situate, lying and being in the township of Stephenson, district of Muskoka and Province of Ontario consisting of lots 25 and 26 and portion of lot 24 in the fifth concession of the said township, lots 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21 in the sixth concession of the said township, lots 33, 32, 26, 25, 24 and the easterly quarter of lot 23 in the seventh concession of the said township, together with all the islands in Mary Lake south of the northerly limit of the seventh concession of said township, namely, Buckhorn, Rocky, Stewart, Crown, Forrest and Snowshoe Islands, which said tract may be better known and described as follows: Commencing at the southeasterly angle of lot 26 in the fifth concession of the said township; thence north 20 degrees, 52 minutes west along the easterly limit of said lot 50 chains more or less to the northeast angle of said lot; thence north 69 degrees, 08 minutes east, 141 chains, more or less along the blind line between concessions five and six in the said township to the town line between the townships of Stephenson and Brunel; thence north 20 degrees, 52 minutes west, 101 chains, more or less to the northeasterly angle of lot 33 in the seventh concession of the said township; thence south 69 degrees, 08 minutes west, 207 chains more or less to the northwesterly angle of the easterly quarter of lot 23 concession seven of the said township; thence south 20 degrees, 52 minutes east, 51 chains more or less to a point in the southerly limit of the road allowance between concessions six and seven in the said township; thence westerly along the said southerly limit of road allowance between concessions six and seven in the said township to the northwesterly angle of lot 21 in the sixth concession; thence south 20 degrees, 52 minutes east, along the westerly limit of said lot 21 to the southwesterly angle of said lot 21; thence easterly along the line of division between the fifth and sixth concessions to the northwesterly limit of lot 25 in the fifth concession; thence south 20 degrees, 52 minutes east, 42 chains; thence south 3 degrees sixteen minutes east, 8.39 chains more or less to a point in the northerly limit of the road allowance between concessions four and five; thence north 69 degrees, 08 minutes east along said northerly limit of the said road allowance between concessions four and five, 42.52 chains more or less to the point of commencement, comprising 1,467.00 acres, together with the area of the islands above enumerated.

Nomination
for first
council.

4. After the passing of this Act, it shall be lawful for George E. Cadieux, who is hereby appointed the returning officer, to hold the nomination for the first election of reeve and councillors at the Town Hall in the said village, at the hour of twelve o'clock noon, on the last Monday in July, 1934, of which he shall give one week's notice by a notice in writing posted up in at least six of the most public places in the said village, and the said George E. Cadieux shall preside at the said nomination, or in case of his absence, the electors present shall choose from among themselves a chairman to preside at the said nomination and such chairman shall have all the powers of a returning officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following and the returning officer or chairman shall, at the close of the nomination, duly announce the polling places in the said village at which the polling is to take place.

Deputy
returning
officers.

5. The said returning officer or chairman shall, by his warrant, appoint a deputy returning officer for each polling place so announced by him, and such returning officer or chairman and each of such deputy returning officers shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of *The Municipal Act* applicable to returning officers at elections in villages in so far as the same do not conflict with this Act, and the said returning officer or chairman shall have all the powers and perform the several duties devolving on village clerks with respect to municipal elections in incorporated villages.

Rev. Stat.,
c. 233.

Township
clerk to
furnish
copy of
assessment
roll, etc.

6. The clerk of the said township of Stephenson, and any other officer thereof shall, upon demand made upon him by the said returning officer or any other officer of the said village, or by the chairman hereinbefore mentioned, at once furnish such returning officer, officers or chairman with a certified copy of so much of the last revised assessment roll for the said village and township as may be required to ascertain the names of the persons entitled to vote in the said village at the first election, and with the collector's roll, and any document, statement, writing, or deed that may be required for that purpose, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of the electors entitled to vote in each of the said polling divisions respectively, and each such copy shall be verified on oath.

Council,—
how
composed.

7. The council of the said village to be elected in manner aforesaid, shall consist of a reeve, who shall be the head thereof, and four councillors, and they shall be organized as a council on the same day of the week next following the week

of polling, or if there be no polling, on the same day of the next week following the week of nomination, and the said council and their successors in office shall have, use, exercise and enjoy all the powers and privileges and shall be subject to all the liabilities and duties of councils in villages incorporated under the provisions of *The Municipal Act*.

Rev. Stat.,
c. 233,

Annual
elections.

8. A meeting of the electors of the said village for the nomination of candidates for the offices of reeve, councillors and school trustees for each subsequent election shall be held at the town hall in the said village annually at noon on the last Monday of July, and the polling, in case a poll be required, shall take place on the first Monday in August next thereafter.

Submission
of by-laws.

9. Where a by-law of the said village requires the assent or is submitted to obtain the opinion of the electors the same shall be submitted only on the date fixed for taking the poll at the annual municipal elections of the said village.

Application
of
Rev. Stat.,
c. 233.

10. Save as hereinbefore provided, the provisions of *The Municipal Act* with respect to the holding of elections shall apply to the said village.

Declarations
of office, etc.

11. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification required by *The Municipal Act* to be taken by persons elected or appointed to like office in villages.

Qualifica-
tion at first
election.

12. At the first election of reeve and councillors for the said village, the qualification of electors and that of the officers required to qualify shall be the same as that required in villages by *The Municipal Act*, and the qualification for reeve shall be the same as that of a reeve in a village.

Adjustment
of assets and
liabilities
with
township.

13. The council of the said village shall be entitled to recover from the said township such share of all moneys on hand, due, owing and of right collectible by and belonging to the said township at and prior to the said time of incorporation or thereafter, if entitled thereto, as shall bear such proportion to the whole as the amount of the assessed property within the limits of the said village as shown by the collector's roll of the year 1933 bears to the whole amount of the assessed property of the said township, and the said village shall be liable to pay to the said township a share in the same proportion of all debts and liabilities existing against the said township at the time this Act shall come into force, as the same shall become due and which are fairly and equitably chargeable against the said village, and in case of dispute, the share to be borne by each respectively shall be ascertained and settled under the provisions of *The Municipal Act*.

Expenses of
obtaining
Act.

14. The expenses incurred in obtaining this Act, and those of furnishing any documents or copies of papers, writings, deeds or any matters whatsoever required by the clerk or other officer of the said village or otherwise, shall be borne by the said village and paid by it to any party who may be entitled thereto.

Assessment
for 1934.

15. The assessment roll and the assessments and all other matters contained therein for all that part of the township of Stephenson that is hereby created into the village of Port Sydney as made by the assessor for the said township for the year 1934 shall be valid and binding upon the persons and properties mentioned in the said assessment roll as if the said corporation of the village of Port Sydney had been created and the same had been made by an assessor duly appointed by the council of the said village at the time the said assessment roll was made, and the clerk of the said township shall forthwith after the expiration of the time limited for appealing to the court of revision from the said assessment roll, furnish to the said George E. Cadieux, or to the clerk for the time being of the said village, a true copy certified as such under his hand and the seal of the corporation of the said township of so much of the said assessment roll as relates to the lands and other properties within the limits of said village, and the income and business assessment of persons residing within such limits together with all notices of appeal from the assessment or other matters contained in or omitted from the said roll that have been filed with him that relate in any way to the said matters aforesaid, and thereafter the said appeals and the said portion of said assessment roll and the taxes to be payable thereunder shall belong to, be collected by, and be dealt with by the council of the said village in the same manner as if the said village had been regularly constituted at the time the said various proceedings were taken and had been made or received by duly appointed officials of the said village corporation.

Commence-
ment of Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act to incorporate the Village of
Port Sydney.

1st Reading

2nd Reading

3rd Reading

MR. ECCLESTONE

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act to incorporate the Village of Port Sydney.

MR. ECCLESTONE

(PRIVATE BILL)

No. 19

1934

BILL

An Act to incorporate the Village of Port Sydney.

Preamble.

WHEREAS George E. Cadieux, Matthew McClure, George Gardiner, all residents of the unincorporated village of Port Sydney in the township of Stephenson, in the district of Muskoka, have by their petition represented that the said village has a resident population of 140 inhabitants or thereabouts, which is steadily increasing; and whereas the population of the said village is largely increased in the summer time by the influx of owners of summer cottages and summer residents, so that the resident population in the summer months is increased to about 600 inhabitants; and whereas the said village is a noted summer resort which attracts large numbers of summer visitors from many parts of Canada and the United States; and whereas the inhabitants of the said village have by their petition represented that they are desirous of becoming incorporated as a village, that there is great difficulty in equalizing the values of village and farm properties in said township which is large and scattered, and that its finances could be better husbanded and used to more equitable advantage, and that its progress, interest and prosperity would be promoted if the said village were incorporated; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Port Sydney Act, 1934*.

Incorporation as a village.

2. From and after the holding of the first election under this Act, the inhabitants of the said village of Port Sydney shall be, and they are hereby constituted a corporation and body politic under the name of "The Corporation of the Village of Port Sydney," separate and apart from the township of Stephenson, in which the said village is situate, and shall enjoy and have all the rights, powers and privileges which


could have been enjoyed and exercised by the said village of Port Sydney if the same had been incorporated under the provisions of *The Municipal Act*.

Rev. Stat.
c. 233.



Area
composing
the village.

3. The said village shall comprise and consist of all that part of the said township of Stephenson described as follows:

All and singular that certain parcel or tract of land and land covered by water and premises situate, lying and being in the township of Stephenson, district of Muskoka and province of Ontario, consisting of lots 25 and 26 and portion of lot 24 in the fifth concession of the said township; lots 30, 29, 28, 27, 26, 25 and 24 in the sixth concession of the said township, lots 26, 25, 24 and the easterly quarter of lots 23 in the seventh concession of the said township, together with those islands in Mary Lake known as Buckhorn, Rocky, Stewart, Crown and Forrest Islands which said tract may be better known and described as follows: Commencing at the southeasterly angle of lot 26 in the fifth concession of the said township; thence north 20 degrees, 52 minutes west along the easterly limit of said lot fifty chains more or less to the northeast angle of said lot; thence north 69 degrees, 08 minutes east, eighty chains more or less along the blind line, between concession five and six in the said township to the southeasterly angle of lot 30 in the sixth concession of the said township; thence north 20 degrees, 52 minutes west, one hundred and one chains more or less to a point where the production northerly of the easterly limit of said lot 30 would intersect the production easterly of the northerly limits of lots 24, 25, 26 in the seventh concession of the said township; thence south 69 degrees, 08 minutes west, one hundred and forty-five chains more or less to the north-westerly angle of the easterly quarter of lot 23 in the seventh concession of the said township; thence south 20 degrees, 52 minutes east, fifty-one chains more or less to a point in the southerly limit of the road allowance between concessions six and seven in the said township; thence easterly along the said southerly limit of road allowance between concessions six and seven in the said township to the northwesterly angle of lot 24 in the sixth concession; thence south 20 degrees, 52 minutes east along the westerly limit of said lot 24 to the southwesterly angle of said lot 24; thence easterly along the line of division between the fifth and sixth concessions to the northwesterly angle of lot 25 in the fifth concession; thence south 20 degrees, 52 minutes east, forty-two chains; thence south 3 degrees, 16 minutes east 8.39 chains more or less to a point in the northerly limit of the road allowance between concession four and five; thence northerly 69 degrees, 08 minutes east along the said northerly limit of said road allowance between concession four and five, 42.52 chains more or less to the point of commencement, together with the area of the islands above enumerated. 

Nomination
for first
council.

4. After the passing of this Act, it shall be lawful for George E. Cadieux, who is hereby appointed the returning officer, to hold the nomination for the first election of reeve councillors and school trustees at the Community Hall in the said village, at the hour of twelve o'clock noon, on the last Monday in July, 1934, of which he shall give one week's notice by a notice in writing posted up in at least six of the most public places in the said village, and the said George E. Cadieux shall preside at the said nomination, or in case of his absence, the electors present shall choose from among themselves a chairman to preside at the said nomination and such chairman shall have all the powers of a returning officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following and the returning officer or chairman shall, at the close of the nomination, duly announce the polling places in the said village at which the polling is to take place.

Deputy
returning
officers.

5. The said returning officer or chairman shall, by his warrant, appoint a deputy returning officer for each polling place so announced by him, and such returning officer or chairman and each of such deputy returning officers shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of *The Municipal Act* applicable to returning officers at elections in villages in so far as the same do not conflict with this Act, and the said returning officer or chairman shall have all the powers and perform the several duties devolving on village clerks with respect to municipal elections in incorporated villages.

Rev. Stat.,
c. 233.

Township
clerk to
furnish
copy of
assessment
roll, etc.

6. The clerk of the said township of Stephenson, and any other officer thereof shall, upon demand made upon him by the said returning officer or any other officer of the said village, or by the chairman hereinbefore mentioned, at once furnish such returning officer, officers or chairman with a certified copy of so much of the last revised assessment roll for the said village and township as may be required to ascertain the names of the persons entitled to vote in the said village at the first election, and any document, statement, writing, or deed that may be required for that purpose, and also the collector's roll for 1933, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of the electors entitled to vote in each of the said polling divisions respectively, and each such copy shall be verified on oath.

Council,—
how
composed.

7. The council of the said village to be elected in manner aforesaid, shall consist of a reeve, who shall be the head thereof, and four councillors, and they shall be organized as a

council on the same day of the week next following the week of polling, or if there be no polling, on the same day of the next week following the week of nomination, and the said council and their successors in office shall have, use, exercise and enjoy all the powers and privileges and shall be subject to all the liabilities and duties of councils in villages incorporated under the provisions of *The Municipal Act*.

Rev. Stat.,
c. 233,

Annual
elections.

8. A meeting of the electors of the said village for the nomination of candidates for the offices of reeve, councillors and school trustees for each subsequent election shall be held at the town hall in the said village annually at noon on the last Monday of July, and the polling, in case a poll be required, shall take place on the first Monday in August next thereafter.

Submission
of by-laws.

9. Where a by-law of the said village requires the assent or is submitted to obtain the opinion of the electors the same shall be submitted only on the date fixed for taking the poll at the annual municipal elections of the said village.

Application
of
Rev. Stat.,
c. 233.

10. Save as hereinbefore provided, the provisions of *The Municipal Act* with respect to the holding of elections shall apply to the said village.

Declarations
of office, etc.

11. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification required by *The Municipal Act* to be taken by persons elected or appointed to like office in villages.

Qualifica-
tion at first
election.

12. At the first election of reeve and councillors for the said village, the qualification of electors and that of the officers required to qualify shall be the same as that required in villages by *The Municipal Act*, and the qualification for reeve shall be the same as that of a reeve in a village.



Assets and
liabilities.


13. The council of the said township shall, save as herein-after provided, retain complete title to all assets of the said township existing in the said village as of the date of incorporation thereof, including arrears of taxes owing in respect of lands situated in the said village, and shall have the right to collect and recover any such arrears as if the said village had not been detached but still remained a part of the said township, and the said village shall be released and discharged from all liability for any portion of the debts and liabilities existing against the said township at the date of the said incorporation. Provided that the gravel pit belonging to the township situated within the limits of the said village shall be for the free use of both the said village and the said township.

Creation of
union school
school
section.

14. The said village and that part of school section number 9 of the said township of Stephenson not included in the said

village, shall be a Union School Section, subject to all the provisions of *The Public Schools Act* otherwise than as specially provided herein.

Community
hall.

15. The community hall situated in the said village shall be vested in the Port Sydney Public School Board subject to the provisions of *The Community Halls Act*, and the said board shall perform the functions of the board of management thereof. 

Expenses of
obtaining
Act.

16. The expenses incurred in obtaining this Act, and those of furnishing any documents or copies of papers, writings, deeds or any matters whatsoever required by the clerk or other officer of the said village or otherwise, shall be borne by the said village and paid by it to any party who may be entitled thereto.

Assessment
for 1934.

17. The assessment roll and the assessments and all other matters contained therein for all that part of the township of Stephenson that is hereby created into the village of Port Sydney as made by the assessor for the said township for the year 1934 shall be valid and binding upon the persons and properties mentioned in the said assessment roll as if the said corporation of the village of Port Sydney had been created and the same had been made by an assessor duly appointed by the council of the said village at the time the said assessment roll was made, and the clerk of the said township shall forthwith after the expiration of the time limited for appealing to the court of revision from the said assessment roll, furnish to the said George E. Cadieux, or to the clerk for the time being of the said village, a true copy certified as such under his hand and the seal of the corporation of the said township of so much of the said assessment roll as relates to the lands and other properties within the limits of said village, and the income and business assessment of persons residing within such limits together with all notices of appeal from the assessment or other matters contained in or omitted from the said roll that have been filed with him that relate in any way to the said matters aforesaid, and thereafter the said appeals and the said portion of said assessment roll and the taxes to be payable thereunder shall subject to the proviso hereinafter contained belong to, be collected by, and be dealt with by the council of the said village in the same manner as if the said village had been regularly constituted at the time the said various proceedings were taken and had been made or received by duly appointed officials of the said village corporation; provided that as to the taxes to be payable in 1934 under the aforementioned portion of the said assessment roll, the said township shall be entitled to receive from the said village seven-

twelfths thereof and there shall be paid to the said township seven-twelfths of the said taxes as the same are collected and received by the said village.

Commence-
ment of Act.

18. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act to incorporate the Village of
Port Sydney.

1st Reading

February 6th, 1934

2nd Reading

3rd Reading

MR. ECCLESTONE

(Reprinted as amended by the Private Bills
Committee.)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act to incorporate the Village of Port Sydney.

MR. ECCLESTONE

No. 19

1934

BILL

An Act to incorporate the Village of Port Sydney.

Preamble.

WHEREAS George E. Cadieux, Matthew McClure, George Gardiner, all residents of the unincorporated village of Port Sydney in the township of Stephenson, in the district of Muskoka, have by their petition represented that the said village has a resident population of 140 inhabitants or thereabouts, which is steadily increasing; and whereas the population of the said village is largely increased in the summer time by the influx of owners of summer cottages and summer residents, so that the resident population in the summer months is increased to about 600 inhabitants; and whereas the said village is a noted summer resort which attracts large numbers of summer visitors from many parts of Canada and the United States; and whereas the inhabitants of the said village have by their petition represented that they are desirous of becoming incorporated as a village, that there is great difficulty in equalizing the values of village and farm properties in said township which is large and scattered, and that its finances could be better husbanded and used to more equitable advantage, and that its progress, interest and prosperity would be promoted if the said village were incorporated; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Village of Port Sydney Act, 1934*.

Incorporation as a village.

2. From and after the holding of the first election under this Act, the inhabitants of the said village of Port Sydney shall be, and they are hereby constituted a corporation and body politic under the name of "The Corporation of the Village of Port Sydney," separate and apart from the township of Stephenson, in which the said village is situate, and shall enjoy and have all the rights, powers and privileges which

could have been enjoyed and exercised by the said village of Port Sydney if the same had been incorporated under the provisions of *The Municipal Act*.

Rev. Stat.
c. 233.

3. The said village shall comprise and consist of all that part of the said township of Stephenson described as follows: ^{Area} ^{composing} the village.

All and singular that certain parcel or tract of land and land covered by water and premises situate, lying and being in the township of Stephenson, district of Muskoka and province of Ontario, consisting of lots 25 and 26 and portion of lot 24 in the fifth concession of the said township; lots 30, 29, 28, 27, 26, 25 and 24 in the sixth concession of the said township, lots 26, 25, 24 and the easterly quarter of lots 23 in the seventh concession of the said township, together with those islands in Mary Lake known as Buckhorn, Rocky, Stewart, Crown and Forrest Islands which said tract may be better known and described as follows: Commencing at the southeasterly angle of lot 26 in the fifth concession of the said township; thence north 20 degrees, 52 minutes west along the easterly limit of said lot fifty chains more or less to the northeast angle of said lot; thence north 69 degrees, 08 minutes east, eighty chains more or less along the blind line, between concession five and six in the said township to the southeasterly angle of lot 30 in the sixth concession of the said township; thence north 20 degrees, 52 minutes west, one hundred and one chains more or less to a point where the production northerly of the easterly limit of said lot 30 would intersect the production easterly of the northerly limits of lots 24, 25, 26 in the seventh concession of the said township; thence south 69 degrees, 08 minutes west, one hundred and forty-five chains more or less to the northwesterly angle of the easterly quarter of lot 23 in the seventh concession of the said township; thence south 20 degrees, 52 minutes east, fifty-one chains more or less to a point in the southerly limit of the road allowance between concessions six and seven in the said township; thence easterly along the said southerly limit of road allowance between concessions six and seven in the said township to the northwesterly angle of lot 24 in the sixth concession; thence south 20 degrees, 52 minutes east along the westerly limit of said lot 24 to the southwesterly angle of said lot 24; thence easterly along the line of division between the fifth and sixth concessions to the northwesterly angle of lot 25 in the fifth concession; thence south 20 degrees, 52 minutes east, forty-two chains; thence south 3 degrees, 16 minutes east 8.39 chains more or less to a point in the northerly limit of the road allowance between concession four and five; thence northerly 69 degrees, 08 minutes east along the said northerly limit of said road allowance between concession four and five, 42.52 chains more or less to the point of commencement, together with the area of the islands above enumerated.

Nomination
for first
council.

4. After the passing of this Act, it shall be lawful for George E. Cadieux, who is hereby appointed the returning officer, to hold the nomination for the first election of reeve councillors and school trustees at the Community Hall in the said village, at the hour of twelve o'clock noon, on the last Monday in July, 1934, of which he shall give one week's notice by a notice in writing posted up in at least six of the most public places in the said village, and the said George E. Cadieux shall preside at the said nomination, or in case of his absence, the electors present shall choose from among themselves a chairman to preside at the said nomination and such chairman shall have all the powers of a returning officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following and the returning officer or chairman shall, at the close of the nomination, duly announce the polling places in the said village at which the polling is to take place.

Deputy
returning
officers.

5. The said returning officer or chairman shall, by his warrant, appoint a deputy returning officer for each polling place so announced by him, and such returning officer or chairman and each of such deputy returning officers shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of *The Municipal Act* applicable to returning officers at elections in villages in so far as the same do not conflict with this Act, and the said returning officer or chairman shall have all the powers and perform the several duties devolving on village clerks with respect to municipal elections in incorporated villages.

Rev. Stat.,
c. 233.

Township
clerk to
furnish
copy of
assessment
roll, etc.

6. The clerk of the said township of Stephenson, and any other officer thereof shall, upon demand made upon him by the said returning officer or any other officer of the said village, or by the chairman hereinbefore mentioned, at once furnish such returning officer, officers or chairman with a certified copy of so much of the last revised assessment roll for the said village and township as may be required to ascertain the names of the persons entitled to vote in the said village at the first election, and any document, statement, writing, or deed that may be required for that purpose, and also the collector's roll for 1933, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of the electors entitled to vote in each of the said polling divisions respectively, and each such copy shall be verified on oath.

Council,—
how
composed.

7. The council of the said village to be elected in manner aforesaid, shall consist of a reeve, who shall be the head thereof, and four councillors, and they shall be organized as a

council on the same day of the week next following the week of polling, or if there be no polling, on the same day of the next week following the week of nomination, and the said council and their successors in office shall have, use, exercise and enjoy all the powers and privileges and shall be subject to all the liabilities and duties of councils in villages incorporated under the provisions of *The Municipal Act*.

Rev. Stat.,
c. 233,

8. A meeting of the electors of the said village for the nomination of candidates for the offices of reeve, councillors and school trustees for each subsequent election shall be held at the town hall in the said village annually at noon on the last Monday of July, and the polling, in case a poll be required, shall take place on the first Monday in August next thereafter.

Annual
elections.

9. Where a by-law of the said village requires the assent or is submitted to obtain the opinion of the electors the same shall be submitted only on the date fixed for taking the poll at the annual municipal elections of the said village.

Submission
of by-laws.

10. Save as hereinbefore provided, the provisions of *The Municipal Act* with respect to the holding of elections shall apply to the said village.

Application
of
Rev. Stat.,
c. 233.

11. The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification required by *The Municipal Act* to be taken by persons elected or appointed to like office in villages.

Declarations
of office, etc.

12. At the first election of reeve and councillors for the said village, the qualification of electors and that of the officers required to qualify shall be the same as that required in villages by *The Municipal Act*, and the qualification for reeve shall be the same as that of a reeve in a village.

Qualifica-
tion at first
election.

13. The council of the said township shall, save as herein-after provided, retain complete title to all assets of the said township existing in the said village as of the date of incorporation thereof, including arrears of taxes owing in respect of lands situated in the said village, and shall have the right to collect and recover any such arrears as if the said village had not been detached but still remained a part of the said township, and the said village shall be released and discharged from all liability for any portion of the debts and liabilities existing against the said township at the date of the said incorporation. Provided that the gravel pit belonging to the township situated within the limits of the said village shall be for the free use of both the said village and the said township.

Assets and
liabilities.

14. The said village and that part of school section number 9 of the said township of Stephenson not included in the said

Creation of
union school
school
section.

village, shall be a Union School Section, subject to all the provisions of *The Public Schools Act* otherwise than as specially provided herein.

Community
hall.

15. The community hall situated in the said village shall be vested in the Port Sydney Public School Board subject to the provisions of *The Community Halls Act*, and the said board shall perform the functions of the board of management thereof.

Expenses of
obtaining
Act.

16. The expenses incurred in obtaining this Act, and those of furnishing any documents or copies of papers, writings, deeds or any matters whatsoever required by the clerk or other officer of the said village or otherwise, shall be borne by the said village and paid by it to any party who may be entitled thereto.

Assessment
for 1934.

17. The assessment roll and the assessments and all other matters contained therein for all that part of the township of Stephenson that is hereby created into the village of Port Sydney as made by the assessor for the said township for the year 1934 shall be valid and binding upon the persons and properties mentioned in the said assessment roll as if the said corporation of the village of Port Sydney had been created and the same had been made by an assessor duly appointed by the council of the said village at the time the said assessment roll was made, and the clerk of the said township shall forthwith after the expiration of the time limited for appealing to the court of revision from the said assessment roll, furnish to the said George E. Cadieux, or to the clerk for the time being of the said village, a true copy certified as such under his hand and the seal of the corporation of the said township of so much of the said assessment roll as relates to the lands and other properties within the limits of said village, and the income and business assessment of persons residing within such limits together with all notices of appeal from the assessment or other matters contained in or omitted from the said roll that have been filed with him that relate in any way to the said matters aforesaid, and thereafter the said appeals and the said portion of said assessment roll and the taxes to be payable thereunder shall subject to the proviso hereinafter contained belong to, be collected by, and be dealt with by the council of the said village in the same manner as if the said village had been regularly constituted at the time the said various proceedings were taken and had been made or received by duly appointed officials of the said village corporation; provided that as to the taxes to be payable in 1934 under the aforementioned portion of the said assessment roll, the said township shall be entitled to receive from the said village seven-

twelfths thereof and there shall be paid to the said township seven-twelfths of the said taxes as the same are collected and received by the said village.

18. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

NO. 17

BILL

An Act to incorporate the Village of
Port Sydney.

1st Reading

February 6th, 1934

2nd Reading

March 2nd, 1934

3rd Reading

March 7th, 1934

MR. ECCLESTONE

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of Woodbridge.

MR. CASE

(PRIVATE BILL)

No. 20

1934

BILL

An Act respecting the Village of Woodbridge.

Preamble.

WHEREAS the corporation of the village of Woodbridge has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Woodbridge Act, 1934.*

Minutes of
settlement of
certain
actions
ratified.

2. The minutes of settlement of the action in the Supreme Court, wherein Samuel Plunkett and others are plaintiffs and W. Robinson & Son Converters Limited and the village of Woodbridge are defendants, and of the action in which W. Robinson & Son, Limited, is plaintiff and the said village is defendant, as set out in schedule "A", are ratified and confirmed and declared to be legal, valid and binding upon the corporation of the said village and the ratepayers thereof.

Council
authorized
to complete
settlement.

3. The council of the corporation of the said village may undertake and complete all works and other matters necessary and may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers, notwithstanding the requirements of any general or special Act to the contrary.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

IN THE SUPREME COURT OF ONTARIO

BETWEEN:

SAMUEL PLUNKETT, ROBERT PLUNKETT, MURRAY
COLES, GOLDWIN JURY, ROBERT JOHNSTON and
ANDREW SHAW,

Plaintiffs,

—and—

W. ROBINSON & SON CONVERTERS LIMITED and
THE CORPORATION OF THE VILLAGE OF WOODBRIDGE,

Defendants,

AND BETWEEN:

W. ROBINSON & SON, LIMITED,

Plaintiff,

—and—

THE MUNICIPAL CORPORATION OF THE VILLAGE OF
WOODBRIDGE,

Defendants.

MINUTES OF SETTLEMENT

These actions are settled upon the following terms:

1. The Defendant Company will pay the Farmer Plaintiffs within one week the sum of \$5,000.00 in full of all damages and costs, such damages to include any and all loss, damage, etc., now or hereafter up to the first day of June, 1934, to be sustained by the Farmer Plaintiffs against both Defendants or either of them. As between the Defendants the Municipality shall subject to paragraph 4 (g) bear \$2,000.00 as its share and the Companies shall bear \$3,000.00 of the said sum of \$5,000.00.

2. There will be an injunction restraining the Defendants from polluting the stream in question which injunction shall take effect from and after the 1st day of June, 1934.

3. On payment of the said sum of \$5,000.00 the Farmer Plaintiffs shall obtain and deliver to the Defendants a release of all claims for damages, if any, of the registered owner of the farm occupied by the Plaintiff Jury as against the Defendants or either of them.

4. As between the Companies and the Municipality it is further agreed as follows:

(a) The Companies will proceed as soon as practicable next spring to install a system to take care and properly dispose of all effluent, discharge and other matter from its factory, lands and buildings and will assume full responsibility from and after the date when the said injunction becomes effective for any and all damage occasioned thereafter by the discharge of any effluent, including all drainage, sewage, refuse, trade waste, industrial waste, dye water, dye stuff, dye waste, bleaching water and any and all other discharge of every kind and nature from its factory lands and buildings and any extensions thereto into the stream in question or on to the lands and premises of any person or persons whatsoever and will indemnify the Municipality from any loss, cost or damage for which the Municipality may be liable to any other person or which it may suffer or incur by reason of such liability and the Companies will release the Municipality from paragraph Number 4 of the Agreement, dated 15th day of September, 1926; the said paragraph Number 4 to be deleted and cancelled.

(b) The Municipality will procure to be conveyed to and vested in the Companies the land lying west of the present lands of the Companies and east of the centre line of the said stream from the southern limit of the Companies' land northerly to a point twenty feet north of the present discharge pipe from the Companies' bleaching plant. The Municipality

will release the lands of the Companies, described in Deed, dated September 15, 1926, registered No. 14547, Vaughan, and No. 1272, Woodbridge, from the reservation contained in the said Deed to the Companies. The Companies will on or before the date when the said injunction becomes effective disconnect all pipes now connecting the factory lands, buildings and premises of the Companies to the stream in question and all pipes, communications, etc., connecting the septic tank and filter bed, etc., to the stream and will take full responsibility for the operation of all disposal works now situated or hereafter to be constructed upon the premises.

(c) The Municipality will add 12 feet to the height of its stand-pipe for water supply purposes and will operate the same in a reasonable manner in accordance with paragraph 3, contained in the Agreement dated September 15, 1926. The following provision in the said Agreement, dated September 15, 1926, "and a pressure of forty pounds per square inch" shall be forthwith deleted and any and all claims of the Companies in respect of the supply and pressure of water heretofore are hereby released and discharged.

(d) The Municipality will submit to the vote of its ratepayers at an early date a by-law extending the provisions as to supply of water to the Companies contained in the Agreement, dated 15th September, 1926 (except the provision as to pressure) for a period of ten years from the 1st day of January, 1937.

(e) The said by-law shall also provide that the assessment of the Companies and its property for all purposes of Municipal taxation, except school taxes and local improvements, shall not exceed the sum of \$4,000.00 for a period of ten years from the expiry of the provision as to a fixed assessment contained in said agreement of 15th September, 1926.

(f) In the event of the said by-law receiving the assent of a majority of ratepayers voting thereon, the Municipality shall apply to the Provincial Legislature at its session in 1934 for an Act to ratify and validate the said by-law and upon the passing of such an Act the terms of said by-law and legislation shall be evidenced by a binding agreement in writing between the Municipality and the Companies.

(g) In case the by-law aforesaid should fail to receive the assent of a majority of the ratepayers or in case the Legislature should fail to ratify and validate said by-law, the provisions in clauses (a) and (b) hereinbefore contained shall not be effective nor shall the provision in clause 1 as to the division of the burden of the \$5,000.00 between the Defendants and the provision as to costs hereinafter contained and the Companies and the Municipality shall both be at large as to the matters at issue between them and as to their liability respectively to the Farmer Plaintiffs as if no settlement had been made with the latter except that it shall be deemed to have been determined that the Plaintiffs are entitled to recover \$5,000.00 from one or both of the Defendants and the issues between the Defendants and the issue as to whether the one or other of them or both are liable to the Farmer Plaintiffs shall be determined between them in these actions without regard to the terms of this agreement and the rights and liabilities of the Companies and the Municipality shall (except as aforesaid) be the same as if this agreement had not been made, and the question as to which of the parties other than the Farmer Plaintiffs shall be charged with payment of the said sum of \$5,000.00 or in what proportion they shall be charged shall be determined in these actions.

(h) To enable the Municipality to provide the funds necessary to pay its share of the \$5,000.00 to be paid the Plaintiffs and to extend its stand-pipe as herein provided, the Companies will lend the Municipality, if it so desires, a sum not to exceed \$3,500.00 which shall become a debt of the Municipality and the Municipality will give the Companies its debentures (to be authorized by by-law aforesaid or by other valid by-law) for the amount so advanced at par with interest at five per cent. per annum, the said debentures to mature in ten years from the date of the advance; and (subject to the terms of paragraph (g) hereof) in default of the delivery of such debentures or the repayment of the moneys advanced with interest at the rate aforesaid, not later than the 1st day of June, 1934,

the Companies shall be entitled to enter Judgment therefor against the Municipality in the secondly above mentioned action.

(i) Any by-law or by-laws, any bill for the ratification thereof by the Legislature and any agreement to be made to carry out the terms of this settlement shall be settled between the Solicitors for the Companies and for the Municipality, and in the event of their being unable to agree shall be settled by the Master.

(j) Each of the parties shall pay its own costs.

(k) If W. Robinson & Sons Limited desire to surrender its charter and its assets are transferred to W. Robinson & Son Converters Limited the rights and obligations of the former Company hereunder and under the Agreement of 15th September, 1926, as hereby amended shall become those of W. Robinson & Son Converters Limited.

(l) Upon the provisions of clauses (a) to (k) being carried out the Company's action shall be dismissed without costs.

Dated at Toronto this 26th day of December, 1933.

"McMASTER, MONTGOMERY, FLEURY & CO.,"
Solicitors for W. Robinson & Son, Ltd., and
W. Robinson & Son Converters, Ltd.

"SKEANS, HOOPER & HOWELL,"
Solicitors for the Municipal Corporation of the
Village of Woodbridge.

"CAMPBELL LINE, Richmond Hill, Ontario,"
Solicitor for S. Plunkett and Robert Plunkett,
M. Coles, R. Johnston, G. Jury and A. Shaw,
the Plaintiffs.

BILL

An Act respecting the Village of
Woodbridge.

1st Reading

2nd Reading

3rd Reading

MR. CASE

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of Woodbridge.

MR. CASE

No. 20

1934

BILL

An Act respecting the Village of Woodbridge.

Preamble.

WHEREAS the corporation of the village of Woodbridge has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Woodbridge Act, 1934.*

Minutes of settlement of certain actions ratified.

2. The minutes of settlement of the action in the Supreme Court, wherein Samuel Plunkett and others are plaintiffs and W. Robinson & Son Converters Limited and the village of Woodbridge are defendants, and of the action in which W. Robinson & Son, Limited, is plaintiff and the said village is defendant, as set out in schedule "A", are ratified and confirmed and declared to be legal, valid and binding upon the corporation of the said village and the ratepayers thereof.

Council authorized to complete settlement.

3. The council of the corporation of the said village may undertake and complete all works and other matters necessary and may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers, notwithstanding the requirements of any general or special Act to the contrary.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

IN THE SUPREME COURT OF ONTARIO

BETWEEN:

SAMUEL PLUNKETT, ROBERT PLUNKETT, MURRAY
COLES, GOLDWIN JURY, ROBERT JOHNSTON and
ANDREW SHAW,

Plaintiffs,

—and—

W. ROBINSON & SON CONVERTERS LIMITED and
THE CORPORATION OF THE VILLAGE OF WOODBRIDGE,

Defendants,

AND BETWEEN:

W. ROBINSON & SON, LIMITED,

Plaintiff,

—and—

THE MUNICIPAL CORPORATION OF THE VILLAGE OF
WOODBRIDGE,

Defendants.

MINUTES OF SETTLEMENT

These actions are settled upon the following terms:

1. The Defendant Company will pay the Farmer Plaintiffs within one week the sum of \$5,000.00 in full of all damages and costs, such damages to include any and all loss, damage, etc., now or hereafter up to the first day of June, 1934, to be sustained by the Farmer Plaintiffs against both Defendants or either of them. As between the Defendants the Municipality shall subject to paragraph 4 (g) bear \$2,000.00 as its share and the Companies shall bear \$3,000.00 of the said sum of \$5,000.00.

2. There will be an injunction restraining the Defendants from polluting the stream in question which injunction shall take effect from and after the 1st day of June, 1934.

3. On payment of the said sum of \$5,000.00 the Farmer Plaintiffs shall obtain and deliver to the Defendants a release of all claims for damages, if any, of the registered owner of the farm occupied by the Plaintiff Jury as against the Defendants or either of them.

4. As between the Companies and the Municipality it is further agreed as follows:

(a) The Companies will proceed as soon as practicable next spring to install a system to take care and properly dispose of all effluent, discharge and other matter from its factory, lands and buildings and will assume full responsibility from and after the date when the said injunction becomes effective for any and all damage occasioned thereafter by the discharge of any effluent, including all drainage, sewage, refuse, trade waste, industrial waste, dye water, dye stuff, dye waste, bleaching water and any and all other discharge of every kind and nature from its factory lands and buildings and any extensions thereto into the stream in question or on to the lands and premises of any person or persons whatsoever and will indemnify the Municipality from any loss, cost or damage for which the Municipality may be liable to any other person or which it may suffer or incur by reason of such liability and the Companies will release the Municipality from paragraph Number 4 of the Agreement, dated 15th day of September, 1926; the said paragraph Number 4 to be deleted and cancelled.

(b) The Municipality will procure to be conveyed to and vested in the Companies the land lying west of the present lands of the Companies and east of the centre line of the said stream from the southern limit of the Companies' land northerly to a point twenty feet north of the present discharge pipe from the Companies' bleaching plant. The Municipality

will release the lands of the Companies, described in Deed, dated September 15, 1926, registered No. 14547, Vaughan, and No. 1272, Woodbridge, from the reservation contained in the said Deed to the Companies. The Companies will on or before the date when the said injunction becomes effective disconnect all pipes now connecting the factory lands, buildings and premises of the Companies to the stream in question and all pipes, communications, etc., connecting the septic tank and filter bed, etc., to the stream and will take full responsibility for the operation of all disposal works now situated or hereafter to be constructed upon the premises.

(c) The Municipality will add 12 feet to the height of its stand-pipe for water supply purposes and will operate the same in a reasonable manner in accordance with paragraph 3, contained in the Agreement dated September 15, 1926. The following provision in the said Agreement, dated September 15, 1926, "and a pressure of forty pounds per square inch" shall be forthwith deleted and any and all claims of the Companies in respect of the supply and pressure of water heretofore are hereby released and discharged.

(d) The Municipality will submit to the vote of its ratepayers at an early date a by-law extending the provisions as to supply of water to the Companies contained in the Agreement, dated 15th September, 1926 (except the provision as to pressure) for a period of ten years from the 1st day of January, 1937.

(e) The said by-law shall also provide that the assessment of the Companies and its property for all purposes of Municipal taxation, except school taxes and local improvements, shall not exceed the sum of \$4,000.00 for a period of ten years from the expiry of the provision as to a fixed assessment contained in said agreement of 15th September, 1926.

(f) In the event of the said by-law receiving the assent of a majority of ratepayers voting thereon, the Municipality shall apply to the Provincial Legislature at its session in 1934 for an Act to ratify and validate the said by-law and upon the passing of such an Act the terms of said by-law and legislation shall be evidenced by a binding agreement in writing between the Municipality and the Companies.

(g) In case the by-law aforesaid should fail to receive the assent of a majority of the ratepayers or in case the Legislature should fail to ratify and validate said by-law, the provisions in clauses (a) and (b) hereinbefore contained shall not be effective nor shall the provision in clause 1 as to the division of the burden of the \$5,000.00 between the Defendants and the provision as to costs hereinafter contained and the Companies and the Municipality shall both be at large as to the matters at issue between them and as to their liability respectively to the Farmer Plaintiffs as if no settlement had been made with the latter except that it shall be deemed to have been determined that the Plaintiffs are entitled to recover \$5,000.00 from one or both of the Defendants and the issues between the Defendants and the issue as to whether the one or other of them or both are liable to the Farmer Plaintiffs shall be determined between them in these actions without regard to the terms of this agreement and the rights and liabilities of the Companies and the Municipality shall (except as aforesaid) be the same as if this agreement had not been made, and the question as to which of the parties other than the Farmer Plaintiffs shall be charged with payment of the said sum of \$5,000.00 or in what proportion they shall be charged shall be determined in these actions.

(h) To enable the Municipality to provide the funds necessary to pay its share of the \$5,000.00 to be paid the Plaintiffs and to extend its stand-pipe as herein provided, the Companies will lend the Municipality, if it so desires, a sum not to exceed \$3,500.00 which shall become a debt of the Municipality and the Municipality will give the Companies its debentures (to be authorized by by-law aforesaid or by other valid by-law) for the amount so advanced at par with interest at five per cent. per annum, the said debentures to mature in ten years from the date of the advance; and (subject to the terms of paragraph (g) hereof) in default of the delivery of such debentures or the repayment of the moneys advanced with interest at the rate aforesaid, not later than the 1st day of June, 1934,

the Companies shall be entitled to enter Judgment therefor against the Municipality in the secondly above mentioned action.

(i) Any by-law or by-laws, any bill for the ratification thereof by the Legislature and any agreement to be made to carry out the terms of this settlement shall be settled between the Solicitors for the Companies and for the Municipality, and in the event of their being unable to agree shall be settled by the Master.

(j) Each of the parties shall pay its own costs.

(k) If W. Robinson & Sons Limited desire to surrender its charter and its assets are transferred to W. Robinson & Son Converters Limited the rights and obligations of the former Company hereunder and under the Agreement of 15th September, 1926, as hereby amended shall become those of W. Robinson & Son Converters Limited.

(l) Upon the provisions of clauses (a) to (k) being carried out the Company's action shall be dismissed without costs.

Dated at Toronto this 26th day of December, 1933.

"McMASTER, MONTGOMERY, FLEURY & Co.,"
Solicitors for W. Robinson & Son, Ltd., and
W. Robinson & Son Converters, Ltd.

"SKEANS, HOOPER & HOWELL,"
Solicitors for the Municipal Corporation of the
Village of Woodbridge.

"CAMPBELL LINE, Richmond Hill, Ontario,"
Solicitor for S. Plunkett and Robert Plunkett,
M. Coles, R. Johnston, G. Jury and A. Shaw,
the Plaintiffs.

BILL

An Act respecting the Village of
Woodbridge.

1st Reading

February 13th, 1934

2nd Reading

February 21st, 1934

3rd Reading

February 26th, 1934

MR. CASE

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of North York.

MR. CASE

(PRIVATE BILL)

No 21

1934.

BILL

An Act respecting the Township of North York.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North York Act, 1934.*

Court of
Revision.Rev. Stat.,
c. 238.

2.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may pass a by-law to provide that the court of revision for the municipality shall thereafter consist of three members who shall be appointed by the council. Upon the passing of the said by-law the following subsections of this section shall apply.

Term of
office.

(2) Upon the appointment of the first members of the court of revision the council shall designate one member to serve for one year, one member to serve for two years and one member to serve for three years, such term to be deemed to commence from the first day of the year in which such member is appointed. Each member appointed thereafter shall be appointed to serve for three years from the first day of the year in which he is appointed. Each member of the said court shall hold office for the term for which he was appointed and until his successor is appointed.

Vacancies.

(3) In case any member of the court of revision is unable to act through illness or absence from Ontario or any other cause the council may appoint another person to the court of revision in his place during such inability to act. Upon the death or resignation of any member the council shall immediately thereafter appoint a successor to complete the unexpired term.

Quorum.

(4) Two members of the court of revision shall be a quorum and a majority of the members may decide all questions before the court, but no member shall act when an appeal is being heard respecting any property in which he is directly or indirectly interested.

Remuneration.

(5) Each member of the court of revision shall be paid such sum for his services as the council may by by-law or resolution determine.

Disqualification.

(6) No member of the council and no officer or employee of the corporation shall be a member of the court of revision.

Application of Rev. Stat., c. 238.

(7) All the provisions of *The Assessment Act* relating to a court of revision shall apply to the court of revision appointed under this section, except where inconsistent therewith.

Confirmation of tax sales and conveyances.

3.—(1) All sales of land within the township of North York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of North York or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the said land was sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-law No. 1858 and debentures confirmed.

4. By-law number 1858 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$23,640 upon debentures to pay for the construction of the widening of part of Avenue Road to 86 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932*.

1932, c. 27, s. 85.

By-law
No. 1861
and
debentures
confirmed.

5. By-law number 1861 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$151,525 upon debentures to pay for the construction of the widening of Yonge Street from Old Yonge Street to 50th Avenue East in the said township to a width of 100 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932*.

1932,
c. 27, s. 85.

By-law
No. 1929
and
debentures
confirmed.

6. By-law number 1929 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$10,335 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

By-law
No. 1930
and
debentures
confirmed.

7. By-law number 1930 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$2,455 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Transfer to
general
funds of
local im-
provement
surplus.

8. The surplus moneys which are now in the hands of the treasurer of the said township arising from the sale of certain local improvement debentures may be transferred to and shall thereupon form part of the general funds of the said corporation.

Income
taxation.

9.—(1) Notwithstanding the provisions of *The Municipal Act* or of any other general or special Act, the council of the said corporation may by by-law passed in any year provide that the rate of taxation to be levied in such year on assessments of income shall be such rate as may be fixed by the said by-law. The said rate may vary from but shall not exceed the rate of taxation levied or to be levied in such year upon assessments of real property for general purposes.

Application
to general
funds.

(2) The amount of taxation levied on assessments of income in each year shall be deemed to be levied to meet the general expenses of the municipality including the amount required to be levied for county purposes.

Commence-
ment of Act.

10. This Act, other than sections 3 and 9, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934, and section 9 shall be read and construed as having effect on, from and after the 1st day of January, 1934.

SCHEDULE

TOWNSHIP OF NORTH YORK

BY-LAW No. 1858

BY-LAW to provide for borrowing \$23,640.00 upon debentures to pay for the construction of certain street widenings to 86 feet.

Whereas pursuant to Construction By-laws the numbers of which and the dates upon which the same were passed by Council are set out in Columns 10 and 11 of Schedule 1 hereto annexed, certain street widenings to 86 feet have been constructed on the streets set out in Column 1 of said Schedule 1 between the points set out in Columns 2 and 3 of the said schedule, as local improvements under the provisions of *The Local Improvement Act*.

And whereas the total cost of the said works is \$23,640.00 of which \$13,573.35 is the Corporation's portion of the cost and \$10,066.65 is the owners' portion of the cost, for which special assessment rolls have been duly made and certified;

And whereas the estimated lifetime of the said works is perpetual;

And whereas it is necessary to borrow the said sum of \$23,640.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of \$2,061.04 during the period of twenty years to pay the said yearly sums of principal and interest as they become due of which \$1,183.38 is required to pay the Corporation's portion of the cost and the interest thereon and \$877.66 is required to pay the owners' portion of the cost and the interest thereon;

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$11,471,486.95;

And whereas the amount of the existing debenture debt of the Corporation (exclusive of local improvement debts secured by special rates or assessments) is \$1,291,936.91 and no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Township of North York enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$23,640.00 and debentures shall be issued therefor in sums of not less than \$50 each bearing interest at the rate of six per cent. per annum and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Interest	Principal	Total
1.....	\$1,418 40	\$642 64	\$2,061 04
2.....	1,379 84	681 20	2,061 04
3.....	1,338 96	722 08	2,061 04
4.....	1,295 64	765 40	2,061 04
5.....	1,249 72	811 32	2,061 04
6.....	1,201 04	860 00	2,061 04
7.....	1,149 44	911 60	2,061 04
8.....	1,094 74	966 30	2,061 04
9.....	1,036 76	1,024 28	2,061 04
10.....	975 31	1,085 73	2,061 04
11.....	910 17	1,150 87	2,061 04
12.....	841 11	1,219 93	2,061 04
13.....	767 92	1,293 12	2,061 04
14.....	690 33	1,370 71	2,061 04
15.....	608 08	1,452 96	2,061 04
16.....	520 91	1,540 13	2,061 04
17.....	428 50	1,632 54	2,061 04
18.....	330 55	1,730 49	2,061 04
19.....	226 72	1,834 32	2,061 04
20.....	116 66	1,944 38	2,061 04
			<u>\$23,640 00</u>

3. The debentures as to both principal and interest shall be expressed in Canadian currency and may be payable at any place or places in Canada.

4. The Reeve and Treasurer of the Corporation shall sign and issue the debentures which shall be sealed with the seal of the Corporation, and the Treasurer shall sign the coupons and the signature of the Treasurer to the coupons may be written, stamped, lithographed or engraved.

5. During twenty years, the currency of the debentures, the sum of \$2,061.04 shall be raised annually for the payment of the debt and interest as follows: The sum of \$1,183.38 shall be raised annually for the payment of the Corporation's portion of the cost and the interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the municipality at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and the interest thereon the special assessments set forth in the said special assessment roll are hereby imposed upon the lands liable therefor as therein set forth, which said special assessments with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in twenty equal annual instalments of \$877.66 each and for that purpose the equal annual special rates per foot frontage set forth in Schedule 1 hereto attached are hereby imposed upon the lots entered in the said special assessment rolls according to the assessed frontage thereof over and above all other rates and taxes which said special rates shall be collected annually by the collector of taxes for the Corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this by-law may be consolidated with the amount of any loan authorized by other local improvement by-laws by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

8. This by-law shall take effect on the day of the final passing thereof.

Passed this 19th day of June, 1933.

H. D. GOODE,
Clerk.

G. B. ELLIOTT,
Reeve.

(Seal)

SCHEDULE 1 TO BY-LAW No. 1838
TOWNSHIP OF NORTH YORK

1 Street	2 From	3 To	4 Total Cost	5 Owners' Share of Cost	6 Corpora- tion Share of Cost	Amount of principal and interest com- bined to be raised annually to pay cost and interest		9 Annual rate per foot frontage	10 Con- struc- tion By-law No.	11 Date of Construction By-law	12 Width of Street
						7 Owners' Share	8 Corpora- tion Share				
Avenue Rd.	Macdougall Ave.	N. limit Plan M108	\$ c. 6,400 00	\$ c. 2,063 07	\$ c. 4,336 93	\$ c. 179 87	\$ c. 378 11	21 18/100c.	1127	Sept. 29, 1930	To 86'
Avenue Rd.	S. limit Plan 1706	N. limit Plan 1706	\$ c. 17,240 00	\$ c. 8,003 58	\$ c. 9,236 42	\$ c. 697 79	\$ c. 805 27	67 7/10c.	1128	"	"
			23,640 00	10,066 65	13,573 35	877 66	1,183 38				

TOWNSHIP OF NORTH YORK

BY-LAW No. 1861

BY-LAW to provide for borrowing \$151,525.00 upon debentures to pay for the construction of certain street widening to 100 feet.

Whereas pursuant to Construction By-laws the numbers of which and the dates upon which the same were passed by Council are set out in Columns 10 and 11 of Schedule 1 hereto annexed, certain street widening to 100 feet, have been constructed on the streets set out in Column 1 of said Schedule 1 between the points set out in Columns 2 and 3 of the said schedule, as local improvements under the provisions of *The Local Improvement Act*;

And whereas the total cost of the said works is \$151,525.00 of which \$50,508.33 is the Corporation's portion of the cost and \$101,016.67 is the owners' portion of the cost, for which special assessment rolls have been duly made and certified;

And whereas the estimated lifetime of the said works is perpetual;

And whereas it is necessary to borrow the said sum of \$151,525.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of six per cent. per annum which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of \$13,210.64 during the period of twenty years to pay the said yearly sums of principal and interest as they become due of which \$4,403.55 is required to pay the Corporation's portion of the cost and the interest thereon and \$8,807.09 is required to pay the owners' portion of the cost and the interest thereon;

And whereas the amount of the whole rateable property of the municipality according to the last-revised assessment roll is \$11,471,486.95;

And whereas the amount of the existing debenture debt of the Corporation (exclusive of local improvement debts secured by special rates or assessments) is \$1,291,936.91 and no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Township of North York enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$151,525.00 and debentures shall be issued therefor in sums of not less than \$50 each bearing interest at the rate of six per cent. per annum and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Interest	Principal	Total
1.....	\$9,091 50	\$4,119 14	\$13,210 64
2.....	8,844 35	4,366 29	13,210 64
3.....	8,582 37	4,628 27	13,210 64
4.....	8,304 70	4,905 96	13,210 64
5.....	8,010 32	5,200 32	13,210 64
6.....	7,698 30	5,512 34	13,210 64
7.....	7,367 56	5,843 08	13,210 64
8.....	7,016 98	6,193 66	13,210 64
9.....	6,645 36	6,565 28	13,210 64
10.....	6,251 44	6,959 20	13,210 64
11.....	5,833 89	7,376 75	13,210 64
12.....	5,391 28	7,819 35	13,210 64
13.....	4,922 12	8,288 52	13,210 64
14.....	4,424 81	8,785 83	13,210 64
15.....	3,897 66	9,312 98	13,210 64
16.....	3,338 88	9,871 76	13,210 64
17.....	2,746 57	10,464 07	13,210 64
18.....	2,118 73	11,091 91	13,210 64
19.....	1,453 22	11,757 42	13,210 64
20.....	747 77	12,462 87	13,210 64
			<hr/>
			\$151,525 00

3. The debentures as to both principal and interest shall be expressed in Canadian currency and may be payable at any place or places in Canada.

4. The Reeve and Treasurer of the Corporation shall sign and issue the debentures which shall be sealed with the seal of the Corporation, and the Treasurer shall sign the coupons and the signature of the Treasurer to the coupons may be written, stamped, lithographed or engraved.

5. During twenty years, the currency of the debentures, the sum of \$13,210.64 shall be raised annually, for the payment of the debt and interest as follows: The sum of \$4,403.55 shall be raised annually for the payment of the Corporation's portion of the cost and the interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in the municipality at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and the interest thereon the special assessments set forth in the said special assessment roll are hereby imposed upon the lands liable therefor as therein set forth, which said special assessments with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in twenty equal annual instalments of \$8,807.09 each and for that purpose the equal annual special rates per foot frontage set forth in Schedule 1 hereto attached are hereby imposed upon the lots entered in the said special assessment rolls according to the assessed frontage thereof over and above all other rates and taxes which said special rates shall be collected annually by the collector of taxes for the Corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this by-law may be consolidated with the amount of any loan authorized by other local improvement by-laws by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

8. This by-law shall take effect on the day of the final passing thereof.

Passed this 19th day of June, 1933.

H. D. GOODE,
Clerk.

G. B. ELLIOTT,
Reeve.

(Seal)

SCHEDULE 1 TO BY-LAW No. 1861
TOWNSHIP OF NORTH YORK

1 Street	2 From	3 To	4 Total Cost	5 Owners' Share of Cost	6 Corpora- tion Share of Cost	Amount of principal and interest com- bined to be raised annually to pay cost and interest			9 Annual rate per foot frontage	10 Con- struc- tion By-law No.	11 Date of Construction By-law	12 Width of Street
						7 Owners' Share	8 Corpora- tion Share					
Yonge St.	Old Yonge St.	50th Ave. East	\$ c. 151,525 00	\$ c. 101,016 67	\$ c. 50,508 33	\$ c. 8,807 09	\$ c. 4,403 55		29 84/100c.	1383	May 18, 1931	To 100'

TOWNSHIP OF NORTH YORK

BY-LAW No. 1929

A BY-LAW to provide for borrowing \$10,335.00 upon debentures to pay for the construction of certain watermains in Water Area No. 1 of the Township of North York.

Whereas pursuant to Construction By-laws the numbers of which and the dates upon which the same were passed are shown in Columns 10 and 11 of Schedule 1 hereto annexed, watermains have been constructed on the streets shown in Column 1 of said schedule between the points shown in Columns 2 and 3 of said schedule, as local improvements under the provisions of *The Local Improvement Act*;

And whereas the total cost of the said works is \$10,335.00 of which \$4,464.07 is to be paid by Water Area No. 1 and \$5,870.93 is the owners' portion of the cost for which special assessment rolls have been duly made and certified;

And whereas the estimated lifetime of the work is thirty-five years;

And whereas it is necessary to borrow the said sum of \$10,335.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of five per cent. per annum which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of twenty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And, whereas it will be necessary to raise annually the sum of \$829.31 during the period of twenty years to pay the said yearly sums of principal and interest as they become due of which \$358.21 is required to pay the Area's portion of the cost and the interest thereon and \$471.10 is required to pay the owners' portion of the cost and the interest thereon.;

And whereas the plans and specifications of the said works have been approved by the Department of Health for the Province of Ontario;

And whereas the amount of the whole rateable property of the municipality according to the last-revised assessment roll is \$11,471,486.95;

And whereas the amount of the existing debenture debt of the Corporation exclusive of local improvement debts secured by special rates or assessments is \$1,291,936.91 and no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Township of North York enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$10,335.00 and debentures shall be issued therefor in sums of not less than \$50.00 each bearing interest at the rate of five per cent. per annum and having coupons attached thereto for the payment of the interest;

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in twenty annual instalments during the twenty years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Interest	Principal	Total
1.....	\$516 75	\$312 56	\$829 31
2.....	501 13	328 18	829 31
3.....	484 72	344 59	829 31
4.....	467 49	361 82	829 31
5.....	449 39	379 92	829 31
6.....	430 40	398 91	829 31
7.....	410 45	418 86	829 31
8.....	389 51	439 80	829 31
9.....	367 52	461 79	829 31
10.....	344 43	484 88	829 31
11.....	320 19	509 12	829 31
12.....	294 73	534 58	829 31
13.....	268 00	561 31	829 31
14.....	239 94	589 37	829 31
15.....	210 47	618 84	829 31
16.....	179 53	649 78	829 31
17.....	147 04	682 27	829 31
18.....	112 92	716 39	829 31
19.....	77 10	752 21	829 31
20.....	39 49	789 82	829 31
			<hr/> \$10,335 00

3. The debentures as to both principal and interest shall be expressed in Canadian currency and may be payable at any place or places in Canada.

4. The Reeve and Treasurer of the Corporation shall sign and issue the debentures which shall be sealed with the seal of the Corporation, and the Treasurer shall sign the coupons and the signature of the Treasurer may be written, stamped, lithographed or engraved.

5. During twenty years, the currency of the debentures, the sum of \$829.31 shall be raised annually for the payment of the debt and interest as follows: The sum of \$358.21 shall be raised annually for the payment of the Area's portion of the cost and the interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in said Water Area No. 1 at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and the interest thereon the special assessments set forth in the said special assessment rolls are hereby imposed upon the lands liable therefor as therein set forth, which said special assessments, with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in twenty equal annual instalments of \$471.10 each and for that purpose an equal annual special rate of 8 cents per foot frontage is hereby imposed upon each lot entered in the said special assessment rolls according to the assessed frontage thereof over and above all other rates and taxes, which said special rates shall be collected annually by the collector of taxes for the Corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this by-law may be consolidated with the amount of any loans authorized by other local improvement by-laws by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

8. This by-law shall take effect on the day of the final passing thereof.

Passed this 29th day of November, 1933.

(Sgd.) H. D. GOODE,
Clerk.

(Sgd.) G. B. ELLIOTT,
Reeve.

(Seal)

SCHEDULE 1 TO BY-LAW No. 1929
TOWNSHIP OF NORTH YORK

1 Street	2 From	3 To	4 Total Cost	5 Owners' Share of Cost	6 Area's Share of Cost	Amount of principal and interest com- bined to be raised 'annually to pay cost and interest		9 Annual rate per foot frontage	10 Con- struc- tion By-law No.	11 Date of Construction By-law	12 Size of Main
						7 Owners' Share	8 Area's Share				
			\$ c.	\$ c.	\$ c.	\$ c.	\$ c.				
Bathurst St.	Woburn Ave.	Bedford Park Ave.	1,005 00	602 33	402 67	48 33	32 31	8c	461	June 27, 1927	8"
Bathurst St.	Douglas Ave.	Park Road	8,730 00	5,166 94	3,563 06	414 61	285 91	8c	461	"	8"
Park Road	Bathurst St.	150'W. of Bathurst	600 00	101 66	498 34	8 16	39 99	8c	461	"	8"
			10,335 00	5,870 93	4,464 07	471 10	358 21				

TOWNSHIP OF NORTH YORK

BY-LAW No. 1930

A BY-LAW to provide for borrowing \$2,455.00 upon debentures to pay for the construction of certain watermains in Water Area No. 1 of the Township of North York.

Whereas pursuant to Construction By-laws the numbers of which and the dates upon which the same were passed are shown in Columns 10 and 11 of Schedule 1 hereto annexed, watermains have been constructed on the streets shown in Column 1 of said schedule between the points shown in Columns 2 and 3 of said schedule, as local improvements under the provisions of *The Local Improvement Act*;

And whereas the total cost of the said works is \$2,455.00 of which \$270.07 is to be paid by Water Area No. 1 and \$2,184.93 is the owners' portion of the cost for which special assessment rolls have been duly made and certified;

And whereas the estimated lifetime of the work is thirty-five years;

And whereas it is necessary to borrow the said sum of \$2,455.00 on the credit of the Corporation and to issue debentures therefor bearing interest at the rate of five and one-half per cent. per annum which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of thirty years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of \$168.92 during the period of thirty years to pay the said yearly sums of principal and interest as they become due of which \$18.58 is required to pay the Area's portion of the cost and the interest thereon and \$150.34 is required to pay the owners' portion of the cost and the interest thereon;

And whereas the plans and specifications of the said works have been approved by the Department of Health for the Province of Ontario;

And whereas the amount of the whole rateable property of the municipality according to the last-revised assessment roll is \$11,471,486.95;

And whereas the amount of the existing debenture debt of the Corporation exclusive of local improvement debts secured by special rates or assessments is \$1,291,936.91 and no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Township of North York enacts as follows:

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of \$2,455.00 and debentures shall be issued therefor in sums of not less than \$50.00 each bearing interest at the rate of five and one-half per cent. per annum and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed and may bear any date within such two years and shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be as follows:

Year	Interest	Principal	Total
1.....	\$135 03	\$33 89	\$168 92
2.....	133 16	35 76	168 92
3.....	131 20	37 72	168 92
4.....	129 12	39 80	168 92
5.....	126 93	41 99	168 92
6.....	124 62	44 30	168 92
7.....	122 19	46 73	168 92
8.....	119 62	49 30	168 92
9.....	116 91	52 01	168 92
10.....	114 05	54 87	168 92
11.....	111 03	57 89	168 92
12.....	107 84	61 08	168 92
13.....	104 48	64 44	168 92
14.....	100 94	67 98	168 92
15.....	97 20	71 72	168 92
16.....	93 26	75 66	168 92
17.....	89 10	79 82	168 92
18.....	84 70	84 22	168 92
19.....	80 07	88 85	168 92
20.....	75 19	93 73	168 92
21.....	70 03	98 89	168 92
22.....	64 59	104 33	168 92
23.....	58 85	110 07	168 92
24.....	52 80	116 12	168 92
25.....	46 41	122 51	168 92
26.....	39 67	129 25	168 92
27.....	32 57	136 35	168 92
28.....	25 07	143 85	168 92
29.....	17 16	151 76	168 92
30.....	8 81	160 11	168 92

\$2,455 00

3. The debentures as to both principal and interest shall be expressed in Canadian currency and may be payable at any place or places in Canada.

4. The Reeve and Treasurer of the Corporation shall sign and issue the debentures which shall be sealed with the seal of the Corporation, and the Treasurer shall sign the coupons and the signature of the Treasurer to the coupons may be written, stamped, lithographed or engraved.

5. During thirty years, the currency of the debentures, the sum of \$168.92 shall be raised annually for the payment of the debt and interest as follows: The sum of \$18.58 shall be raised annually for the payment of the Area's portion of the cost and the interest thereon and shall be levied and raised annually by a special rate sufficient therefor over and above all other rates on all the rateable property in said Water Area No. 1 at the same time and in the same manner as other rates. For the payment of the owners' portion of the cost and the interest thereon the special assessments set forth in the said special assessment rolls are hereby imposed upon the lands liable therefor as therein set forth, which said special assessments, with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in thirty equal annual instalments of \$150.34 each and for that purpose an equal annual special rate of 8 cents per foot frontage is hereby imposed upon each lot entered in the said special assessment rolls according to the assessed frontage thereof over and above all other rates and taxes, which said special rates shall be collected annually by the collector of taxes for the Corporation at the same time and in the same manner as other rates.

6. The debentures may contain any clause providing for the registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

7. The amount of the loan authorized by this by-law may be consolidated with the amount of any loans authorized by other local improve-

ment by-laws by including the same with such other loans in a consolidating by-law authorizing the borrowing of the aggregate thereof as one loan and the issue of debentures for such loan in one consecutive issue pursuant to the provisions of the statute in that behalf.

8. This by-law shall take effect on the day of the final passing thereof.

Passed this 29th day of November, 1933.

(Sgd.) H. D. GOODE,
Clerk.

(Sgd.) G. B. ELLIOTT,
Reeve.

(Seal)

SCHEDULE 1 TO BY-LAW No. 1930
TOWNSHIP OF NORTH YORK

1 Street	2 From	3 To	4 Total Cost	5 Owners' Share of Cost	6 Area's Share of Cost	Amount of principal and interest com- bined to be raised annually to pay cost and interest		9 Annual rate per foot frontage	10 Con- struc- tion By-law No.	11 Date of Construction By-law	12 Size of Main
						7 Owners' Share	8 Area's Share				
			\$ c.	\$ c.	\$ c.	\$ c.	\$ c.				
Duplex Ave.	Johnston Ave.	Hendon Ave.	1,430 00	1,247 27	182 73	85 82	12 57	8c	211	Dec. 1, 1924	6"
Hendon Ave.	Yonge St.	Duplex Ave.	1,025 00	937 66	87 34	64 52	6 01	8c	195	Oct. 20, 1924	6"
			2,455 00	2,184 93	270 07	150 34	18 58				

BILL

An Act respecting the Township of
North York.

1st Reading

2nd Reading

3rd Reading

MR. CASE

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of North York.

MR. CASE

(PRIVATE BILL)

No 21

1934.

BILL

An Act respecting the Township of North York.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows: .

Short title.

1. This Act may be cited as *The Township of North York Act, 1934.*

Court of Revision.

Rev. Stat., c. 238.

2.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may pass a by-law to provide that the court of revision for the municipality shall thereafter consist of three members who shall be appointed by the council. Upon the passing of the said by-law the following subsections of this section shall apply.

Term of office.

(2) Upon the appointment of the first members of the court of revision the council shall designate one member to serve for one year, one member to serve for two years and one member to serve for three years, such term to be deemed to commence from the first day of the year in which such member is appointed. Each member appointed thereafter shall be appointed to serve for three years from the first day of the year in which he is appointed. Each member of the said court shall hold office for the term for which he was appointed and until his successor is appointed.

Vacancies.

(3) In case any member of the court of revision is unable to act through illness or absence from Ontario or any other cause the council may appoint another person to the court of revision in his place during such inability to act. Upon the death or resignation of any member the council shall immediately thereafter appoint a successor to complete the unexpired term.

Quorum. (4) Two members of the court of revision shall be a quorum and a majority of the members may decide all questions before the court, but no member shall act when an appeal is being heard respecting any property in which he is directly or indirectly interested.

Remuneration. (5) Each member of the court of revision shall be paid such sum for his services as the council may by by-law or resolution determine.

Disqualification. (6) No member of the council and no officer or employee of the corporation shall be a member of the court of revision.

Application of Rev. Stat., c. 238. (7) All the provisions of *The Assessment Act* relating to a court of revision shall apply to the court of revision appointed under this section, except where inconsistent therewith.

Confirmation of tax sales and conveyances. **3.**—(1) All sales of land within the township of North York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of North York or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the said land was sold.

Pending litigation not affected. (2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-law No. 1858 and debentures confirmed. **4.** By-law number 1858 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$23,640 upon debentures to pay for the construction of the widening of part of Avenue Road to 86 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932*.

1932,
c. 27, s. 85.

By-law
No. 1861
and
debentures
confirmed.

5. By-law number 1861 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$151,525 upon debentures to pay for the construction of the widening of Yonge Street from Old Yonge Street to 50th Avenue East in the said township to a width of 100 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932.*

1932,
c. 27, s. 85.

By-law
No. 1929
and
debentures
confirmed.

6. By-law number 1929 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$10,335 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

By-law
No. 1930
and
debentures
confirmed.

7. By-law number 1930 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$2,455 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Application
of debenture
surpluses.

8. Any surplus which may have arisen or arise from the sale of any debentures heretofore or hereafter issued by the corporation or which may remain after any such debentures have been fully paid, may be applied and used,

- (a) to meet the principal due from year to year or in any year upon the issue of debentures in respect of which such surplus arose; or
- (b) if unrequired for the purpose mentioned in clause (a), to meet the principal due from year to year or in any year upon any other issue of debentures; or
- (c) if approved by the Ontario Municipal Board, for the purposes of the general funds of the corporation.

Income
taxation.

9.—(1) Notwithstanding the provisions of *The Municipal Act* or of any other general or special Act, the council of the said corporation may by by-law passed in any year provide that the rate of taxation to be levied in such year on assessments of income shall be such rate as may be fixed by the said by-law. The said rate may vary from but shall not exceed the rate of taxation levied or to be levied in such year upon assessments of real property for general purposes.

Application
to general
funds.

(2) The amount of taxation levied on assessments of income in each year shall be deemed to be levied to meet the general expenses of the municipality including the amount required to be levied for county purposes.

Commence-
ment of Act.

10. This Act, other than sections 3 and 9, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934, and section 9 shall be read and construed as having effect on, from and after the 1st day of January, 1934.

BILL.

An Act respecting the Township of
North York.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. CASE

(*Reprinted as amended by the Private Bills
Committee*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of North York.

MR. CASE

No 21

1934.

BILL

An Act respecting the Township of North York.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North York Act, 1934.*

Court of Revision.

Rev. Stat., c. 238.

2.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may pass a by-law to provide that the court of revision for the municipality shall thereafter consist of three members who shall be appointed by the council. Upon the passing of the said by-law the following subsections of this section shall apply.

Term of office.

(2) Upon the appointment of the first members of the court of revision the council shall designate one member to serve for one year, one member to serve for two years and one member to serve for three years, such term to be deemed to commence from the first day of the year in which such member is appointed. Each member appointed thereafter shall be appointed to serve for three years from the first day of the year in which he is appointed. Each member of the said court shall hold office for the term for which he was appointed and until his successor is appointed.

Vacancies.

(3) In case any member of the court of revision is unable to act through illness or absence from Ontario or any other cause the council may appoint another person to the court of revision in his place during such inability to act. Upon the death or resignation of any member the council shall immediately thereafter appoint a successor to complete the unexpired term.

(4) Two members of the court of revision shall be a quorum ^{Quorum.} and a majority of the members may decide all questions before the court, but no member shall act when an appeal is being heard respecting any property in which he is directly or indirectly interested.

(5) Each member of the court of revision shall be paid such ^{Remuneration.} sum for his services as the council may by by-law or resolution determine.

(6) No member of the council and no officer or employee of ^{Disqualification.} the corporation shall be a member of the court of revision.

(7) All the provisions of *The Assessment Act* relating to a ^{Application of} court of revision shall apply to the court of revision appointed ^{Rev. Stat., c. 238.} under this section, except where inconsistent therewith.

3.—(1) All sales of land within the township of North York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of North York or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the said land was sold. ^{Confirmation of tax sales and conveyances.}

(2) Nothing in this section contained shall affect or prejudice ^{Pending litigation not affected.} the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

4. By-law number 1858 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$23,640 upon debentures to pay for the construction of the widening of part of Avenue Road to 86 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932.* ^{By-law No. 1858 and debentures confirmed. 1932, c. 27, s. 85.}

By-law
No. 1861
and
debentures
confirmed.

5. By-law number 1861 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$151,525 upon debentures to pay for the construction of the widening of Yonge Street from Old Yonge Street to 50th Avenue East in the said township to a width of 100 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932*.

1932,
c. 27, s. 85.

By-law
No. 1929
and
debentures
confirmed.

6. By-law number 1929 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$10,335 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

By-law
No. 1930
and
debentures
confirmed.

7. By-law number 1930 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$2,455 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Application
of debenture
surpluses.

8. Any surplus which may have arisen or arise from the sale of any debentures heretofore or hereafter issued by the corporation or which may remain after any such debentures have been fully paid, may be applied and used,

- (a) to meet the principal due from year to year or in any year upon the issue of debentures in respect of which such surplus arose; or
- (b) if unrequired for the purpose mentioned in clause (a), to meet the principal due from year to year or in any year upon any other issue of debentures; or
- (c) if approved by the Ontario Municipal Board, for the purposes of the general funds of the corporation.

Commence-
ment of Act.

9. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the Township of
North York.

1st Reading

February 13th, 1934

2nd Reading

March 2nd, 1934

3rd Reading

March 7th, 1934

MR. CASE

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Collingwood.

MR. JAMIESON

(PRIVATE BILL)

No. 22

1934

BILL

An Act respecting the Town of Collingwood.

Preamble.

WHEREAS the corporation of the town of Collingwood has by its petition represented that on the 6th day of November, 1933, it passed its by-law number 1133 to issue debentures for \$37,000 to provide the necessary funds to pay bonds in the same amount issued by Imperial Steel and Wire Company Limited and guaranteed as to payment by the said corporation under the authority of chapter 65 of the Statutes of Ontario, 1914, and that the issue of such debentures is desirable in order to avoid overburdensome taxation in one year being imposed to pay the said bonds and has prayed that the said by-law be ratified and confirmed by special legislation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Collingwood Act, 1934*.

By-law
No. 1133
and
debentures
validated.

2. By-law number 1133 of the corporation of the town of Collingwood, set forth in schedule "A" hereto, and all debentures issued or to be issued thereunder are hereby ratified, validated, and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW NUMBER 1133

By-law Number 1133 of the Town of Collingwood to provide for the borrowing of \$37,000.00 upon debentures, to retire an outstanding balance of bonds issued by the Imperial Steel and Wire Company Limited, and guaranteed by the said Town of Collingwood.

Whereas by the authority of Chapter Number 65, Statutes of Ontario, 1914, the Municipality of the Town of Collingwood was authorized to guarantee the debentures of the said Imperial Steel and Wire Company Limited to the extent of \$100,000.00;

And whereas the Imperial Steel and Wire Company Limited issued \$50,000.00 of bonds which were duly guaranteed by the Municipality of the Town of Collingwood in pursuance of the said Act;

And whereas the name of the said Company was later changed, by letters patent, from the Imperial Steel and Wire Company Limited, to the Imperial Steel Corporation Limited;

And whereas the Imperial Steel Corporation Limited went into liquidation on or about the year 1925, and its plant, which is its only asset, has since been and now is in the possession and control of the said Town of Collingwood.

And whereas there is now outstanding of the said bond issue, bonds to the extent of \$37,000.00 which said bonds will fall due on the 1st day of June, 1934;

And whereas it is necessary and expedient for the Municipality of the Town of Collingwood to issue debentures to take up the said guaranteed bonds so falling due as aforesaid;

And whereas \$5,027.12 is the total amount required to be raised annually by special rate for the term of ten years, for the payment of the said debt and interest thereon, at the rate of six per cent. per annum, payable yearly, according to the terms of this By-law;

And whereas the amount of the whole rateable property of the Municipality, according to the last-revised assessment roll, is \$3,975,854.00.

And whereas the amount of the existing debenture debt of the Corporation (exclusive of local improvement debts) secured by special rates or assessments is \$978,165.73, and no part of the principal or interest is in arrears;

Be it therefore enacted by the Municipal Council of the Town of Collingwood as follows:

1. That for the purpose aforesaid it shall be lawful for the Municipal Council of the Town of Collingwood to borrow on the credit of the Corporation at large the sum of \$37,000.00 and debentures shall be issued therefor in sums of not less than \$100.00 each, bearing interest at the rate of six per cent. per annum, payable annually, computed from the date of issue, and have coupons attached for the payment of interest.

2. That the debentures shall all bear the same date and shall be issued within two years after the date of which this By-law is passed, and may bear any date within such two years, and shall be payable in ten equal annual instalments, during the ten years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:

No.	Principal	Interest	Total
1.....	\$2,807 12	\$2,220 00	\$5,027 12
2.....	2,975 54	2,051 58	5,027 12
3.....	3,154 07	1,873 05	5,027 12
4.....	3,343 32	1,683 80	5,027 12
5.....	3,543 92	1,483 20	5,027 12
6.....	3,756 55	1,270 57	5,027 12
7.....	3,981 95	1,045 17	5,027 12
8.....	4,220 86	806 26	5,027 12
9.....	4,474 11	553 01	5,027 12
10.....	4,742 56	284 56	5,027 12
	<hr/> \$37,000 00	<hr/> \$13,271 20	<hr/> \$50,271 20

3. That the said debentures shall be payable at the Bank of Toronto in the Town of Collingwood.

4. The Mayor and Treasurer of the said Corporation shall sign and issue the debentures and the Treasurer shall sign the interest coupons and the debentures shall be sealed with the Seal of the Corporation and the Treasurer's signature may be printed, stamped, lithographed, or engraved upon the said coupons.

5. During the ten years the currency of the said debt and debentures, there shall be raised, assessed, and levied yearly, by special rate, sufficient therefor on all the rateable property in the Municipality, a sum sufficient to discharge the several instalments of principal and interest accruing due on the said debentures as the same become respectively payable according to the provisions of this By-law.

6. The debentures may contain any clause providing for the registration thereof, authorized by any Statute, relating to Municipal Debentures, in force at the time of the issue thereof.

7. This By-law shall come into force and have effect immediately upon the final passing thereof, but subject to ratification thereof by the Provincial Legislature of the Province of Ontario.

Read a first, second, and third time and passed in open Council this Sixth day of November, 1933.

Mayor.

Clerk.

BILL

An Act respecting the Town of
Collingwood.

1st Reading

2nd Reading

3rd Reading

MR. JAMIESON

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Collingwood.

MR. JAMIESON

(PRIVATE BILL)

BILL

An Act respecting the Town of Collingwood.

Preamble.

WHEREAS the corporation of the town of Collingwood has by its petition represented that on the 6th day of November, 1933, it passed its by-law number 1133 to issue debentures for \$37,000 to provide the necessary funds to pay bonds in the same amount issued by Imperial Steel and Wire Company Limited and guaranteed as to payment by the said corporation under the authority of chapter 65 of the Statutes of Ontario, 1914, and that the issue of such debentures is desirable in order to avoid overburdensome taxation in one year being imposed to pay the said bonds and has prayed that the said by-law be ratified and confirmed by special legislation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Collingwood Act, 1934*.

By-law
No. 1133
and
debentures
validated.

2.—(1) By-law number 1133 of the corporation of the town of Collingwood, and all debentures issued or to be issued thereunder are hereby ratified, validated, and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

Approval of
Municipal,
Board
necessary.

(2) No debentures shall be issued under the authority of said by-law number 1133 without the approval of the Ontario Municipal Board.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of
Collingwood.

1st Reading

February 6th, 1934

2nd Reading

3rd Reading

MR. JAMIESON

(Reprinted as amended by the Private
Bills Committee.)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Collingwood.

MR. JAMIESON

No. 22

1934

BILL

An Act respecting the Town of Collingwood.

Preamble.

WHEREAS the corporation of the town of Collingwood has by its petition represented that on the 6th day of November, 1933, it passed its by-law number 1133 to issue debentures for \$37,000 to provide the necessary funds to pay bonds in the same amount issued by Imperial Steel and Wire Company Limited and guaranteed as to payment by the said corporation under the authority of chapter 65 of the Statutes of Ontario, 1914, and that the issue of such debentures is desirable in order to avoid overburdensome taxation in one year being imposed to pay the said bonds and has prayed that the said by-law be ratified and confirmed by special legislation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Collingwood Act, 1934*.

By-law
No. 1133
and
debentures
validated.

2.—(1) By-law number 1133 of the corporation of the town of Collingwood, and all debentures issued or to be issued thereunder are hereby ratified, validated, and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

Approval of
Municipal
Board
necessary.

(2) No debentures shall be issued under the authority of said by-law number 1133 without the approval of the Ontario Municipal Board.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of
Collingwood.

1st Reading

February 6th, 1934

2nd Reading

February 23rd, 1934

3rd Reading

March 5th, 1934

MR. JAMIESON

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of York.

MR. PRICE (York, West)

(PRIVATE BILL)

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1934*.

Formation of Board of Education and powers and status of board.

2.—(1) The collegiate institute board of the township of York and the York township public school board are hereby united and shall hereafter form one board, and shall be a corporation by the name of "The Board of Education for the Township of York," hereinafter referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

Composition of Board.

(2) The board of education shall consist of eleven members to be elected or appointed as hereinafter provided:

- (a) Three of the members shall be elected from ward 1 and two members shall be elected from each of wards 2 and 3;
- (b) Three members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*;
- (c) One member shall be appointed annually by the York township separate school board at its first meeting in each year or so soon as may be thereafter.

Vesting of
school
properties
in the
board.

(3) Upon the organization of the board of education the members of the said collegiate institute board and of the said public school board then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the township of York and in the York township public school board shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Election by
ballot.

(4) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Rev. Stat.,
c. 233.

Form of
ballot.

(5) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education for each ward, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Qualifica-
tions of
members of
board.

(6) Every ratepayer who resides in the township and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. Every person elected as a member of the board of education shall hold office for the term of one year and until his successor is elected and the new board organized.

Rev. Stat.,
c. 323.

Qualifica-
tions of
voters.

(7) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools.

First
meeting.

(8) The first meeting of the board of education in the year 1936 shall be held on the first Wednesday in February at the hour of eight o'clock in the evening at York Memorial Collegiate Institute.

Annual
organization
meeting.

(9) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in the year 1937 and in each year thereafter on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

Application
of
Rev. Stat.,
c. 327.

(10) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

Application
of general
school laws.

(11) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the township of York and to the board of education as if the said township were an urban municipality not separated from a county.

Rev. Stat.,
cc. 323, 326;
1930, c. 64;
Rev. Stat.,
cc. 327, 332.

(12) Upon the dissolution of any Union School Section formed under *The Public Schools Act* between part of the township of York and any adjoining municipality that part thereof within the said township shall thereafter be under the jurisdiction of the board of education for public school purposes as well as for high school purposes.

Dissolution
of Union
Sections.

Rev. Stat.,
c. 323.

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public and separate schools as provided in section 6 of *The Township of York Act, 1932*, and the said grants shall continue to be paid as therein provided.

1932,
c. 96, s. 6,
not affected.

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of York shall be reduced by reason of any of the provisions of this section.

Grants not
affected.

(15) This section shall come into force and take effect on the 21st day of December, 1935, but the trustees of the said collegiate institute board and of the said public school board shall remain in office until the board of education has been organized.

When
section 2
effective.

(16) This section shall come into force and take effect on the 21st day of December, 1935, but the trustees of the said collegiate institute board and of the said public school board shall remain in office until the board of education has been organized.

1932, c. 96,
s. 5 amended.

3. Section 5 of *The Township of York Act, 1932*, is amended by adding thereto the following subsection:

Application
of certain
provisions
of Rev. Stat.
c. 323, s. 88,
cl. d to
School
Board.

- (17) Notwithstanding any of the provisions of subsection 13 of this section, the provisions of clause d of section 88 of *The Public Schools Act* relating to rural schools shall apply to the school board and to the schools under its jurisdiction until the 31st day of December, 1935, as if the said township had continued to be divided into rural school sections.

County
agreement
authorized.

4. The said corporation may enter into agreements with the corporation of the county of York in matters relating to hospitalization of indigent persons who are residents of the said township, and any such agreement when approved by the Minister of Health shall be legal, valid and binding upon the said corporations and they shall have power to carry out their respective obligations and exercise their respective rights thereunder.

Rev. Stat.,
c. 238, s. 14,
to apply.

5. For the purpose of section 14 of *The Assessment Act* the township of York shall be deemed a city and the said section shall be read and construed accordingly.

Tax sales
and
conveyances
confirmed.

6.—(1) All sales of land within the township of York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of York or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-law
No. 11335
confirmed.

7. By-law No. 11335 of the said corporation passed on the 5th day of February, 1934, entitled "A by-law to delete

certain lands which cannot be served by sewers from St. Clair Sewerage Area No. 1" is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

8. This Act, other than sections 2 and 6, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the date provided therein and section 6 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the Township of York.

1st Reading

2nd Reading

3rd Reading

MR. PRICE (York, West)

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of York.

MR. PRICE (York, West)

(PRIVATE BILL)

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1934*.

Formation
of Board of
Education
and powers
and status
of board.

2.—(1) The collegiate institute board of the township of York and the York township public school board are hereby united and shall hereafter form one board, and shall be a corporation by the name of "The Board of Education for the Township of York," hereinafter referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

Composi-
tion of
Board.

(2) The board of education shall consist of eleven members to be elected or appointed as hereinafter provided:

- (a) Three of the members shall be elected from ward 1 and two members shall be elected from each of wards 2 and 3;
- (b) Three members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*;
- (c) One member shall be appointed annually by the York township separate school board at its first meeting in each year or so soon as may be thereafter.

Vesting of
school
properties
in the
board.

(3) Upon the organization of the board of education the members of the said collegiate institute board and of the said public school board then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the township of York and in the York township public school board shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Election by
ballot.

(4) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Rev. Stat.,
c. 233.

Form of
ballot.

(5) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education for each ward, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Qualifica-
tions of
members of
board.

(6) Every ratepayer who resides in the township and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. Every person elected as a member of the board of education shall hold office for the term of one year and until his successor is elected and the new board organized.

Rev. Stat.,
c. 323.

Qualifica-
tions of
voters.

(7) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools.

First
meeting.

(8) The first meeting of the board of education in the year 1936 shall be held on the first Wednesday in February at the hour of eight o'clock in the evening at York Memorial Collegiate Institute.

Annual
organization
meeting.

(9) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in the year 1937 and in each year thereafter on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

Application
of
Rev. Stat.,
c. 327.

(10) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

Application
of general
school laws.

(11) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the township of York and to the board of education as if the said township were an urban municipality not separated from a county.

Rev. Stat.,
cc. 323, 326;
1930, c. 64;
Rev. Stat.,
cc. 327, 332.

Dissolution
of Union
Sections.

Rev. Stat.,
c. 323.

(12) Upon the dissolution of any Union School Section formed under *The Public Schools Act* between part of the township of York and any adjoining municipality that part thereof within the said township shall thereafter be under the jurisdiction of the board of education for public school purposes as well as for high school purposes.

1932,
c. 96, s. 6,
not affected.

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public and separate schools as provided in section 6 of *The Township of York Act, 1932*, and the said grants shall continue to be paid as therein provided.

Grants not
affected.

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of York shall be reduced by reason of any of the provisions of this section.

When
section 2
effective.

(15) This section shall come into force and take effect on the 21st day of December, 1935, but the trustees of the said collegiate institute board and of the said public school board shall remain in office until the board of education has been organized.

1932, c. 96,
s. 5 amended.

3. Section 5 of *The Township of York Act, 1932*, is amended by adding thereto the following subsection:

Application
of certain
provisions
of Rev. Stat.
c. 323, s. 88,
cl. d to
School
Board.

- (17) Notwithstanding any of the provisions of subsection 13 of this section, the provisions of clause d of section 88 of *The Public Schools Act* relating to rural schools shall apply to the school board and to the schools under its jurisdiction until the 31st day of December, 1935, as if the said township had continued to be divided into rural school sections.

County
agreement
authorized.

4. The said corporation may enter into agreements with the corporation of the county of York in matters relating to hospitalization of indigent persons who are residents of the said township, and any such agreement when approved by the Minister of Health shall be legal, valid and binding upon the said corporations and they shall have power to carry out their respective obligations and exercise their respective rights thereunder.

Tax sales
and
conveyances
confirmed.

5.—(1) All sales of land within the township of York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of York or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-law
No. 11335
confirmed.

6. By-law No. 11335 of the said corporation passed on the 5th day of February, 1934, entitled "A by-law to delete certain lands which cannot be served by sewers from St. Clair Sewerage Area No. 1" is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

7. This Act, other than sections 2 and 5, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the date provided therein and section 5 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the Township of York.

1st Reading

February 27th, 1934

2nd Reading

3rd Reading

MR. PRICE (York, West)

*(Reprinted as amended by the Private
Bills Committee)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of York.

MR. PRICE (York, West)

BILL

An Act respecting the Township of York.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1934*.

Formation of Board of Education and powers and status of board.

2.—(1) The collegiate institute board of the township of York and the York township public school board are hereby united and shall hereafter form one board, and shall be a corporation by the name of "The Board of Education for the Township of York," hereinafter referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

Composition of Board.

(2) The board of education shall consist of eleven members to be elected or appointed as hereinafter provided:

- (a) Three of the members shall be elected from ward 1 and two members shall be elected from each of wards 2 and 3;
- (b) Three members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*;
- (c) One member shall be appointed annually by the York township separate school board at its first meeting in each year or so soon as may be thereafter.

(3) Upon the organization of the board of education the members of the said collegiate institute board and of the said public school board then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the township of York and in the York township public school board shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Vesting of
school
properties
in the
board.

(4) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Election by
ballot.

Rev. Stat.,
c. 233.

(5) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education for each ward, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Form of
ballot.

(6) Every ratepayer who resides in the township and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. Every person elected as a member of the board of education shall hold office for the term of one year and until his successor is elected and the new board organized.

Qualifica-
tions of
members of
board.

Rev. Stat.,
c. 323.

(7) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools.

Qualifica-
tions of
voters.

First
meeting.

(8) The first meeting of the board of education in the year 1936 shall be held on the first Wednesday in February at the hour of eight o'clock in the evening at York Memorial Collegiate Institute.

Annual
organization
meeting.

(9) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in the year 1937 and in each year thereafter on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

Application
of
Rev. Stat.,
c. 327.

(10) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

Application
of general
school laws.

(11) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the township of York and to the board of education as if the said township were an urban municipality not separated from a county.

Rev. Stat.,
cc. 323, 326;
1930, c. 64;
Rev. Stat.,
cc. 327, 332.

Dissolution
of Union
Sections.

Rev. Stat.,
c. 323.

(12) Upon the dissolution of any Union School Section formed under *The Public Schools Act* between part of the township of York and any adjoining municipality that part thereof within the said township shall thereafter be under the jurisdiction of the board of education for public school purposes as well as for high school purposes.

1932,
c. 96, s. 6,
not affected.

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public and separate schools as provided in section 6 of *The Township of York Act, 1932*, and the said grants shall continue to be paid as therein provided.

Grants not
affected.

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of York shall be reduced by reason of any of the provisions of this section.

When
section 2
effective.

(15) This section shall come into force and take effect on the 21st day of December, 1935, but the trustees of the said collegiate institute board and of the said public school board shall remain in office until the board of education has been organized.

3. Section 5 of *The Township of York Act, 1932*, is amended ^{1932, c. 96, s. 5 amended.} by adding thereto the following subsection:

- (17) Notwithstanding any of the provisions of subsection 13 of this section, the provisions of clause *d* of section 88 of *The Public Schools Act* relating to rural schools shall apply to the school board and to the schools under its jurisdiction until the 31st day of December, 1935, as if the said township had continued to be divided into rural school sections. ^{Application of certain provisions of Rev. Stat. c. 323, s. 88, cl. *d* to School Board.}

4. The said corporation may enter into agreements with the corporation of the county of York in matters relating to hospitalization of indigent persons who are residents of the said township, and any such agreement when approved by the Minister of Health shall be legal, valid and binding upon the said corporations and they shall have power to carry out their respective obligations and exercise their respective rights thereunder. ^{County agreement authorized.}

5.—(1) All sales of land within the township of York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of York or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold. ^{Tax sales and conveyances confirmed.}

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. ^{Pending litigation not affected.}

6. By-law No. 11335 of the said corporation passed on the 5th day of February, 1934, entitled "A by-law to delete certain lands which cannot be served by sewers from St. Clair Sewerage Area No. 1" is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. ^{By-law No. 11335 confirmed}

Commence-
ment of Act.

7. This Act, other than sections 2 and 5, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the date provided therein and section 5 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the Township of York.

1st Reading

February 27th, 1934

2nd Reading

March 7th, 1934

3rd Reading

March 16th, 1934

MR. PRICE (York, West)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting The Bankers Trust Company.

MR. HEIGHINGTON

(PRIVATE BILL)

No. 24

1934

BILL

An Act respecting The Bankers Trust Company.

Preamble.

WHEREAS The Bankers Trust Company has by its petition represented that it was incorporated by a special Act of the Legislature of the Province of Quebec, passed in the fifth year of the reign of His late Majesty King Edward VII, which said Act was amended by an Act of the said Legislature passed in the ninth year of the reign of His late Majesty King Edward VII, under the name of The Bankers Trust Company; and by an Act of the Legislature of the Province of Ontario, passed in the tenth and eleventh years of the reign of His Majesty King George V and chaptered 156, the said company was authorized to carry on only the business of a trust company in the Province of Ontario in conformity to the public general law thereof; and that the said company is desirous of having an Act passed to amend the provisions of the said Act of the Province of Ontario as aforesaid in respect of the security required to be given by the said company as therein set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Bankers Trust Company Act, 1934*.

1920,
c. 156, s. 1,
repealed and
re-enacted.

2. Section 1 of chapter 156 of the Statutes of Ontario, 1920, is repealed and the following substituted therefor:

Authority to
carry on
business in
Ontario.

1. Upon giving security to the satisfaction of the Lieutenant-Governor of the Province of Ontario in Council a sum of two hundred thousand dollars (\$200,000), or such lesser sum as the Lieutenant-Governor in Council may approve, but not less than a sum of fifty thousand dollars (\$50,000), the company shall upon filing with the Registrar appointed under *The Loan and Trust Corporations Act*, a power of attorney as required by section 119

Rev. Stat.,
c. 223.

of the said last-mentioned Act and upon being registered under the said Act, be authorized and empowered to carry on and exercise in the Province of Ontario the business of a trust company with the powers set forth in *The Loan and Trust Corporations Act*.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Bankers Trust
Company.

1st Reading

2nd Reading

3rd Reading

MR. HEIGHINGTON

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting The Bankers Trust Company.

MR. HEIGHINGTON

No. 24

1934

BILL

An Act respecting The Bankers Trust Company.

Preamble.

WHEREAS The Bankers Trust Company has by its petition represented that it was incorporated by a special Act of the Legislature of the Province of Quebec, passed in the fifth year of the reign of His late Majesty King Edward VII, which said Act was amended by an Act of the said Legislature passed in the ninth year of the reign of His late Majesty King Edward VII, under the name of The Bankers Trust Company; and by an Act of the Legislature of the Province of Ontario, passed in the tenth and eleventh years of the reign of His Majesty King George V and chaptered 156, the said company was authorized to carry on only the business of a trust company in the Province of Ontario in conformity to the public general law thereof; and that the said company is desirous of having an Act passed to amend the provisions of the said Act of the Province of Ontario as aforesaid in respect of the security required to be given by the said company as therein set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Bankers Trust Company Act, 1934*.

1920,
c. 156, s. 1,
repealed and
re-enacted.

2. Section 1 of chapter 156 of the Statutes of Ontario, 1920, is repealed and the following substituted therefor:

Authority to
carry on
business in
Ontario.

1. Upon giving security to the satisfaction of the Lieutenant-Governor of the Province of Ontario in Council in a sum of two hundred thousand dollars (\$200,000), or such lesser sum as the Lieutenant-Governor in Council may approve, but not less than a sum of fifty thousand dollars (\$50,000), the company shall upon filing with the Registrar appointed under *The Loan and Trust Corporations Act*, a power of attorney as required by section 119

Rev. Stat.,
c. 223.

of the said last-mentioned Act and upon being registered under the said Act, be authorized and empowered to carry on and exercise in the Province of Ontario the business of a trust company with the powers set forth in *The Loan and Trust Corporations Act*.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-
ment of Act.

BILL

An Act respecting the Bankers Trust
Company.

1st Reading

February 13th, 1934

2nd Reading

February 21st, 1934

3rd Reading

February 26th, 1934

MR. HEIGHINGTON

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of St. Clair Beach.

MR. WILSON (Windsor)

(PRIVATE BILL)

No. 25

1934

BILL

An Act respecting the Village of St. Clair Beach.

Preamble.

WHEREAS the corporation of the village of St. Clair Beach has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of St. Clair Beach Act, 1934.*

Separation
of village
from county
of Essex.

2.—(1) The village of St. Clair Beach shall be a village separate from the county of Essex, from and after a date to be fixed, and subject to the provisions contained in an order of the Ontario Municipal Board.

(2) Such order to be effective shall be passed by the said board on or before the 1st day of October, 1934.

Alternative.

3. In the event no such order is made by the said board on or before the 1st day of October, 1934,—

Representa-
tion on
county
council.

(a) The said village shall, for the year 1935 and in each year thereafter, be represented in the county council of the county of Essex, by the reeve of the township of Maidstone, and section 4 of chapter 91 of the Statutes of Ontario, 1914, being the Act of incorporation of the said village, is repealed, and the said Act amended accordingly.

(b) The electors of the said village entitled to vote at municipal elections shall be entitled to vote for reeve at the annual municipal elections of the township of Maidstone, in the same manner, with the same rights and subject to the same conditions as would apply if the said village formed part of the said township, and copies of the voters' list of

the said village shall be filed with the clerk of the said township, and shall be deemed to form part of the voters' list of the said township for the purpose of the election of reeve thereof, and for such purpose the said village shall form a separate polling subdivision of the said township.

County
assessment
fixed.

4. The equalized assessment of the said village for county purposes is hereby fixed at the sum of \$350,000 for the years 1934, 1935 and 1936 and the council of the corporation of the said county shall apportion county rates for the said years upon the basis of the said fixed assessment.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of
St. Clair Beach.

1st Reading

2nd Reading

3rd Reading

MR. WILSON (Windsor)

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of St. Clair Beach.

MR. WILSON (Windsor)

(PRIVATE BILL)

No. 25

1934

BILL

An Act respecting the Village of St. Clair Beach.

Preamble.

WHEREAS the corporation of the village of St. Clair Beach has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of St. Clair Beach Act, 1934*.

Representa-
tion on
county
council.

2. The village of St. Clair Beach shall, for the year 1934 and in each year thereafter, be represented in the county council of the county of Essex, by the reeve of the said village, and section 4 of chapter 91 of the Statutes of Ontario, 1914, being the Act of incorporation of the said village, is repealed, and the said Act amended accordingly.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of
St. Clair Beach.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. WILSON (Windsor)

*(Reprinted as amended by the Private Bills
Committee.)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of St. Clair Beach.

MR. WILSON (Windsor)

No. 25

1934

BILL

An Act respecting the Village of St. Clair Beach.

Preamble.

WHEREAS the corporation of the village of St. Clair Beach has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of St. Clair Beach Act, 1934*.

Representa-
tion on
county
council.

2. The village of St. Clair Beach shall, for the year 1934 and in each year thereafter, be represented in the county council of the county of Essex, by the reeve of the said village, and section 4 of chapter 91 of the Statutes of Ontario, 1914, being the Act of incorporation of the said village, is repealed, and the said Act amended accordingly.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of
St. Clair Beach.

1st Reading

February 13th, 1934

2nd Reading

March 2nd, 1934

3rd Reading

March 7th, 1934

MR. WILSON (Windsor)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of Forest Hill.

MR. OAKLEY

(PRIVATE BILL)

No. 26

1934

BILL

An Act respecting the Village of Forest Hill.

Preamble.

WHEREAS the corporation of the village of Forest Hill has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Forest Hill Act, 1934.*

Authority to enlarge park.

2. The council of the corporation may enter into an agreement for the purchase of an additional two acres of land for the purpose of enlarging the public park on the east side of Bathurst street, and may pass by-laws for such purpose and for the issue of debentures to pay for the said land, and it shall not be necessary to obtain the assent of the electors of the said village qualified to vote on money by-laws to the passing of such by-laws.

Assent of electors not requisite.

Power to expropriate land in connection with the opening, widening, etc., of a street or the laying out of a street or park or for the development of the area north of Eglinton Ave.

3.—(1) The council of the said corporation may pass by-laws to acquire or expropriate not only the land in the said village actually required for the opening, widening, extension or straightening of a street or for the laying out and establishing of a park or playground, but also any land within 200 feet of the limits or sides of such street, park or playground, and the provisions of *The Municipal Act* shall apply with respect to any such acquisition or expropriation.

(2) The council of the said corporation may pass by-laws to acquire by purchase from the owner thereof any land owned, occupied or held for manufacturing purposes and situate in any defined area in the said village in respect of which a by-law has been passed and approved by the Ontario Municipal Board under the authority of section 398 of *The Municipal Act*.

Power to levy a fixed rate annually.

(3) The said corporation may for the purposes mentioned in subsections 1 and 2 issue debentures payable within twenty years to an amount which shall not in any one year for the payment of sinking fund or principal and interest upon all such debentures necessitate the levy in the aggregate of annual rates of more than two mills in the dollar on the rateable property in the said village according to the last revised assessment roll.

Rate not to be part of annual levy for general municipal purposes.

(4) The annual rates mentioned in subsection 3 shall not form part of the aggregate rates referred to in subsection 2 of section 306 of *The Municipal Act* for the purposes mentioned therein.

Approval of Ontario Municipal Board necessary.

(5) Before exercising any of the powers conferred by this section, the corporation shall first obtain the approval of the Ontario Municipal Board.

Board may direct notice to be given or direct vote of people entitled to vote on money by-laws.

(6) The said Board may approve of the exercise of any of the said powers, and before so doing may direct such notice to be given and published as the Board may specify for the purpose of hearing objections to approval being given and may direct that a vote of the electors entitled to vote on money by-laws shall first be taken upon the proposed undertaking.

Authority to establish parks and squares of an area greater than 2 acres.

4. The council of the said corporation may under the authority of and in accordance with the provisions of *The Local Improvement Act* exercise the powers conferred by clause (1) of subsection 1 of section 2 of the said Act notwithstanding that the park or square to be acquired, established, laid out or improved has a greater area than two acres.

Payment of share of debentures issued by Township of York.

5. Where under the provisions of any general or special Act, the said corporation is liable to the corporation of the township of York for payment of any moneys, any payment made by the said corporation in respect of such liability shall not be used by the corporation of the said township for any purpose other than the purpose for which the payment is made, and upon payment in full to the corporation of the said township of any such liability the corporation of the said village shall be exonerated from any further liability or payment in respect thereof.

Power to fix date for taking the assessment and to provide for separate income assessment.

6.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the corporation of the said village may by by-law provide,—

(a) for taking the assessment in each year between such times as the by-law may define;

- (b) for taking the assessment of income for the purpose of taxation in the year 1934 and in every year thereafter separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Return of
roll and
appeals
therefrom.

Rev. Stat.,
c. 238.

(2) Any such by-laws shall provide for the time when the roll for such assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in the manner provided by *The Assessment Act*, upon the return of such assessment roll or rolls to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll or rolls and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Final
revision.

(3) The assessments so made and completed in any year, whether or not they are completed by the time provided by the by-law shall upon their final revision be the assessments on which the rate of taxation for such year shall be levied by the council, and the assessment roll thereof or in the event of a separate assessment for income being made, such income assessment with the assessment roll of real property, business and other assessments made for the same year shall when they are finally revised form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purpose of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

Times for
payment
of income
tax.

(4) The council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable.

Declaration
as to income.

7. The provisions of section 20 of *The Assessment Act* shall apply to the village of Forest Hill.

By-law
No. 803
validated.

8. By-law number 803 of the said corporation to regulate the emission of smoke, soot or other substances set forth in Schedule "A" to this Act is hereby ratified and confirmed and declared to be legal, valid and binding.

Application
of
debenture
surpluses.

9. Any surplus which may have arisen or arise from the sale of any debentures heretofore or hereafter issued by the corporation or which may remain after any such debentures have been fully paid, may be applied and used,

- (a) to meet the principal due from year to year or in any year upon the issue of debentures in respect of which such surplus arose; or

- (b) if unrequired for the purpose mentioned in clause (a), to meet the principal due from year to year or in any year upon any other issue of debentures; or
- (c) if approved by the Ontario Municipal Board, for the purposes of the general funds of the corporation.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW No. 803

A By-law to regulate the emission of smoke, soot or other material or noxious gases

WHEREAS it is deemed expedient and necessary to regulate and inspect the emission of smoke or other material or noxious gases within the Village of Forest Hill, for the purpose of protecting the health of and removing any annoyance or nuisance from the inhabitants of the Municipality;

BE IT THEREFORE ENACTED by the Council of The Corporation of the Village of Forest Hill, as follows:

Smoke Inspector.

1. The Works Commissioner shall be the Smoke Inspector during the pleasure of the Council.

Definition.

2. "Opaque or dense smoke" shall be defined as smoke having a density equal or greater than Standard No. 3 of the "Ringlemann" Smoke Chart, a copy of which is attached to this By-law.

Discharge or Escape of Dense Smoke.

3. No owner, lessee, tenant, agent, manager or occupant of any premises (or of a steam boiler) in connection with which a fire is burning, and no person who operates, uses or causes or permits to be used any furnace or fire within the limits of the Village of Forest Hill shall permit the emission to the atmosphere from such fire of opaque or dense smoke for a period of more than six minutes in any one hour, or at any other point than the opening to the atmosphere of the flue, stack or chimney. Nothing herein contained shall apply to a furnace or fire used in connection with the reduction, refining or smelting of ores or minerals or the manufacture of cement, or to dwelling houses, except apartment houses.

Right to Inspect Premises.

4. The Smoke Inspector or his assistants shall have the right and authority, at all reasonable hours, to visit and inspect premises where violations of this By-law are observed by the inspectors, or of which complaints have been received, and shall be promptly admitted by owners or other person or persons in charge thereof, for the purpose of determining the cause of such violations, or the correctness of such complaint.

Penalty.

5. No person shall incur a penalty for an infraction of this By-law until ninety days after notice from the Corporation of the existence of such By-law, and such notice may be given by the publication of the By-law in a local daily newspaper for four successive weeks. Any person convicted of a breach of any of the provisions of this By-law shall forfeit and pay, at the discretion of the convicting Magistrate, a penalty not exceeding (exclusive of costs) the sum of Fifty Dollars (\$50.00) for each offence.

Passed this 14th day of February, A.D. 1934.

H. M. COOKE,
Reeve.

L. W. ARCHER,
Clerk.

BILL

An Act respecting the Village of
Forest Hill

1st Reading

2nd Reading

3rd Reading

MR. OAKLEY

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of Forest Hill.

MR. OAKLEY

(PRIVATE BILL)

No. 26

1934

BILL

An Act respecting the Village of Forest Hill.

Preamble.

WHEREAS the corporation of the village of Forest Hill has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Forest Hill Act, 1934*.

Authority
to enlarge
park.

2. The council of the corporation may enter into an agreement for the purchase of an additional two acres of land for the purpose of enlarging the public park on the east side of Bathurst street, and may pass by-laws for such purpose and for the issue of debentures to pay for the said land, and it shall not be necessary to obtain the assent of the electors of the said village qualified to vote on money by-laws to the passing of such by-laws.

Assent of
electors not
requisite.

3.—(1) The council of the said corporation may pass by-laws to acquire or expropriate not only the land in the said village actually required for the opening, widening, extension or straightening of a street or for the laying out and establishing of a park or playground, but also any land within 200 feet of the limits or sides of such street, park or playground, and the provisions of *The Municipal Act* shall apply with respect to any such acquisition or expropriation.

Power to
expropriate
land in
connection
with the
opening,
widening,
etc., of a
street or the
laying out
of a street or
park or for
the
development
of the area
north of
Eglinton
Ave.

(2) The council of the said corporation may pass by-laws to acquire by purchase from the owner thereof any land owned, occupied or held for manufacturing or business purposes and situate in any defined area in the said village in respect of which a by-law has been passed and approved by the Ontario Municipal Board under the authority of section 398 of *The Municipal Act*.

Power to
levy a
fixed rate
annually.

(3) The said corporation may for the purposes mentioned in subsections 1 and 2 issue debentures payable within twenty years to an amount which shall not in any one year for the payment of sinking fund or principal and interest upon all such debentures necessitate the levy in the aggregate of annual rates of more than two mills in the dollar on the rateable property in the said village according to the last revised assessment roll.

Rate not to
be part of
annual levy
for general
municipal
purposes.

(4) The annual rates mentioned in subsection 3 shall not form part of the aggregate rates referred to in subsection 2 of section 306 of *The Municipal Act* for the purposes mentioned therein.

Approval of
Ontario
Municipal
Board
necessary.

(5) Before exercising any of the powers conferred by this section, the corporation shall first obtain the approval of the Ontario Municipal Board.

Board may
direct notice
to be given
or direct
vote of
people
entitled
to vote on
money
by-laws.

(6) The said Board may approve of the exercise of any of the said powers, and before so doing shall direct such notice to be given to the owner of any land which may be affected by the exercise of such power and may direct such other notice to be given and published as the Board may specify for the purpose of hearing objections to approval being given and may direct that a vote of the electors entitled to vote on money by-laws shall first be taken upon the proposed undertaking.

When
Rev. Stat.,
c. 233, s. 343,
not to apply.

(7) Section 343 of *The Municipal Act* shall not apply with respect to any street opened, widened, extended or straightened under the authority of this section and the powers contained in the said section 343 shall not be used for such purpose.

Authority
to establish
parks and
squares
of an area
greater
than 2
acres.

4. The council of the said corporation may on petition only under the authority of and in accordance with the provisions of *The Local Improvement Act* exercise the powers conferred by clause (1) of subsection 1 of section 2 of the said Act notwithstanding that the park or square to be acquired, established, laid out or improved has a greater area than two acres.

Payment
of share of
debentures
issued by
Township of
York.

5. Where under the provisions of any general or special Act, the said corporation is liable to the corporation of the township of York for payment of any moneys, any payment made by the said corporation in respect of such liability shall not be used by the corporation of the said township for any purpose other than the purpose for which the payment is made, and upon payment in full to the corporation of the said township of any such liability the corporation of the said village shall be exonerated from any further liability or payment in respect thereof.

Power to fix date for taking the assessment and to provide for separate income assessment.

6.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the corporation of the said village may by by-law provide,—

(a) for taking the assessment in each year between such times as the by-law may define;

(b) for taking the assessment of income for the purpose of taxation in the year 1934 and in every year thereafter separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Return of roll and appeals therefrom.

Rev. Stat., c. 238.

(2) Any such by-laws shall provide for the time when the roll for such assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in the manner provided by *The Assessment Act*, upon the return of such assessment roll or rolls to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll or rolls and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Final revision.

(3) The assessments so made and completed in any year, whether or not they are completed by the time provided by the by-law shall upon their final revision be the assessments on which the rate of taxation for such year shall be levied by the council, and the assessment roll thereof or in the event of a separate assessment for income being made, such income assessment with the assessment roll of real property, business and other assessments made for the same year shall when they are finally revised form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purpose of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

Times for payment of income tax.

(4) The council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable.

Declaration as to income.

7. The provisions of section 20 of *The Assessment Act* shall apply to the village of Forest Hill.

By-law No. 803 validated.

8. By-law number 803 of the said corporation to regulate the emission of smoke, soot or other substances is hereby ratified and confirmed and declared to be legal, valid and binding.

Application
of
debenture
surpluses.

9. Any surplus which may have arisen or arise from the sale of any debentures heretofore or hereafter issued by the corporation or which may remain after any such debentures have been fully paid, may be applied and used,

- (a) to meet the principal due from year to year or in any year upon the issue of debentures in respect of which such surplus arose; or
- (b) if unrequired for the purpose mentioned in clause (a), to meet the principal due from year to year or in any year upon any other issue of debentures; or
- (c) if approved by the Ontario Municipal Board, for the purposes of the general funds of the corporation.

Commence-
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Village of
Forest Hill

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. OAKLEY

*(Reprinted as amended by the Private
Bills Committee)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Village of Forest Hill.

MR. OAKLEY

No. 26

1934

BILL

An Act respecting the Village of Forest Hill.

Preamble.

WHEREAS the corporation of the village of Forest Hill has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Forest Hill Act, 1934*.

Authority to enlarge park.

2. The council of the corporation may enter into an agreement for the purchase of an additional two acres of land for the purpose of enlarging the public park on the east side of Bathurst street, and may pass by-laws for such purpose and for the issue of debentures to pay for the said land, and it shall not be necessary to obtain the assent of the electors of the said village qualified to vote on money by-laws to the passing of such by-laws.

Assent of electors not requisite.

Power to expropriate land in connection with the opening, widening, etc., of a street or the laying out of a street or park or for the development of the area north of Eglinton Ave.

3.—(1) The council of the said corporation may pass by-laws to acquire or expropriate not only the land in the said village actually required for the opening, widening, extension or straightening of a street or for the laying out and establishing of a park or playground, but also any land within 200 feet of the limits or sides of such street, park or playground, and the provisions of *The Municipal Act* shall apply with respect to any such acquisition or expropriation.

(2) The council of the said corporation may pass by-laws to acquire by purchase from the owner thereof any land owned, occupied or held for manufacturing or business purposes and situate in any defined area in the said village in respect of which a by-law has been passed and approved by the Ontario Municipal Board under the authority of section 398 of *The Municipal Act*.

(3) The said corporation may for the purposes mentioned in subsections 1 and 2 issue debentures payable within twenty years to an amount which shall not in any one year for the payment of sinking fund or principal and interest upon all such debentures necessitate the levy in the aggregate of annual rates of more than two mills in the dollar on the rateable property in the said village according to the last revised assessment roll.

Power to
levy a
fixed rate
annually.

(4) The annual rates mentioned in subsection 3 shall not form part of the aggregate rates referred to in subsection 2 of section 306 of *The Municipal Act* for the purposes mentioned therein.

Rate not to
be part of
annual levy
for general
municipal
purposes.

(5) Before exercising any of the powers conferred by this section, the corporation shall first obtain the approval of the Ontario Municipal Board.

Approval of
Ontario
Municipal
Board
necessary.

(6) The said Board may approve of the exercise of any of the said powers, and before so doing shall direct such notice to be given to the owner of any land which may be affected by the exercise of such power and may direct such other notice to be given and published as the Board may specify for the purpose of hearing objections to approval being given and may direct that a vote of the electors entitled to vote on money by-laws shall first be taken upon the proposed undertaking.

Board may
direct notice
to be given
or direct
vote of
people
entitled
to vote on
money
by-laws.

(7) Section 343 of *The Municipal Act* shall not apply with respect to any street opened, widened, extended or straightened under the authority of this section and the powers contained in the said section 343 shall not be used for such purpose.

When
Rev. Stat.,
c. 233, s. 343,
not to apply.

4. The council of the said corporation may on petition only under the authority of and in accordance with the provisions of *The Local Improvement Act* exercise the powers conferred by clause (1) of subsection 1 of section 2 of the said Act notwithstanding that the park or square to be acquired, established, laid out or improved has a greater area than two acres.

Authority
to establish
parks and
squares
of an area
greater
than 2
acres.

5. Where under the provisions of any general or special Act, the said corporation is liable to the corporation of the township of York for payment of any moneys, any payment made by the said corporation in respect of such liability shall not be used by the corporation of the said township for any purpose other than the purpose for which the payment is made, and upon payment in full to the corporation of the said township of any such liability the corporation of the said village shall be exonerated from any further liability or payment in respect thereof.

Payment
of share of
debentures
issued by
Township of
York.

Power to fix date for taking the assessment and to provide for separate income assessment.

6.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the corporation of the said village may by by-law provide,—

- (a) for taking the assessment in each year between such times as the by-law may define;
- (b) for taking the assessment of income for the purpose of taxation in the year 1934 and in every year thereafter separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Return of roll and appeals therefrom.

Rev. Stat., c. 238.

(2) Any such by-laws shall provide for the time when the roll for such assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in the manner provided by *The Assessment Act*, upon the return of such assessment roll or rolls to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll or rolls and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Final revision.

(3) The assessments so made and completed in any year, whether or not they are completed by the time provided by the by-law shall upon their final revision be the assessments on which the rate of taxation for such year shall be levied by the council, and the assessment roll thereof or in the event of a separate assessment for income being made, such income assessment with the assessment roll of real property, business and other assessments made for the same year shall when they are finally revised form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purpose of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

Times for payment of income tax.

(4) The council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable.

Declaration as to income.

7. The provisions of section 20 of *The Assessment Act* shall apply to the village of Forest Hill.

By-law No. 803 validated.

8. By-law number 803 of the said corporation to regulate the emission of smoke, soot or other substances is hereby ratified and confirmed and declared to be legal, valid and binding.

9. Any surplus which may have arisen or arise from the sale of any debentures heretofore or hereafter issued by the corporation or which may remain after any such debentures have been fully paid, may be applied and used, ^{Application of debenture surpluses.}

- (a) to meet the principal due from year to year or in any year upon the issue of debentures in respect of which such surplus arose; or
- (b) if unrequired for the purpose mentioned in clause (a), to meet the principal due from year to year or in any year upon any other issue of debentures; or
- (c) if approved by the Ontario Municipal Board, for the purposes of the general funds of the corporation.

10. This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act.}

BILL

An Act respecting the Village of
Forest Hill

1st Reading

February 13th, 1934

2nd Reading

March 7th, 1934

3rd Reading

March 16th, 1934

MR. OAKLEY

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the University of Regiopolis.

MR. HAMBLY

(PRIVATE BILL)

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 27

1934

BILL

An Act respecting the University of Regiopolis.

Preamble.

WHEREAS the College of Regiopolis was incorporated by an Act of the Legislature of Upper Canada in the seventh year of the reign of His Majesty King William IV, being chapter 56, and said Act was amended by 8 Victoria, chapter 79, and the said College was granted full University powers by an Act of Parliament of the Province of Canada passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, 1866, chapter 133, and said Acts were amended by an Act passed in the twenty-first year of the reign of His Majesty George V, Statute of Ontario, 1931, chapter 137, and has by its petition sought further powers and amendments; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Canada University Act, 1934*.

Acts repealed.

2. The Acts set out in schedule "A" hereto are repealed and the provisions of this Act are substituted therefor.

Change of name.

3. The corporation of the University of Regiopolis is hereby continued under the name of "Canada University" hereinafter referred to as "the University," and, subject to the provision of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it may now have, hold, possess and enjoy.

University to be body corporate and politic.

4. The University shall be a body corporate and politic in deed and in name.

Members of University.

5. The University shall be constituted of the present Board of Trustees of the University of Regiopolis, who with others whom they may elect to membership pursuant to the by-laws

shall form the University Council of the University and such members shall hold office for such length of time as shall be determined by the by-laws of said University Council.

Power to
acquire and
hold real and
personal
property.

6.—(1) The University shall have power to purchase or otherwise take or receive, hold and enjoy any estate whatsoever, real or personal, and to alienate, sell, convey, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate, real and personal, in addition to or in place thereof to and for the uses and purposes of the said University.

(2) The University may convey and delegate in whole or in part for a definite time, or indefinitely, until revocation, or in perpetuity, to a holding company incorporated in the Province of Ontario for this express purpose, the aforesaid powers and rights in regard to property both real and personal, provided always that such property be used exclusively for the benefit of the University and for the purposes set forth in the present Act.

Power to
borrow
money,
issue bonds,
etc.

7. If and when authorized by by-law duly passed by the University Council, the University shall have the power to,—

- (a) Borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the said Council;
- (b) Make, draw and endorse promissory notes or bills of exchange;
- (c) Hypothecate, pledge or charge any or all the personal and real property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) Issue bonds, debentures and obligations on such terms and conditions as the council may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the council may decide; and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the University to secure any such bonds, debentures and obligations.

Application
of rents,
revenues,
etc.

8. The rents, revenues, issues and profits of all property, real and personal, held by the said University and all other income of the University shall be appropriated and applied solely to

the maintenance of the members of the University, the construction and repair of the buildings requisite for the purposes of the University, and to the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

Property
vested in the
University.

9. All and every the estate and property, real and personal, belonging to or hereafter to be acquired by the officers or members of the University as such and all debts, claims and rights whatsoever due to them in that quality shall be and are hereby vested in the University.

Members
and officers
not indivi-
dually liable
for debts,
etc.

10. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the said University, or any person whatsoever individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account or in respect of any matter or thing whatsoever relating to the University.

Land
vested in
University
not liable to
expropria-
tion.

11. The real property of the University or real property held in trust by a holding company for the University shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose; and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Exemption
of property
from
taxation.

12. The property, real and personal, vested in the University, or held in trust by a holding company for the University, shall not be liable to taxation for municipal or school purposes, and shall be exempt from every description of such taxation; but the interest of every lessee and occupant (provided such lessee and occupant be not a member of the University or a member of the teaching staff or a servant or a student of the University or a university fraternity or sorority or of a teaching community or Government institution for scientific or educational purposes) or of real property vested in the University shall be liable to taxation.

Act not to
affect His
Majesty's
rights.

13. Nothing in this Act shall affect any right of His Majesty, his heirs or successors, or of any party or persons whomsoever; such rights only excepted as are herein expressly mentioned or affected.

Lieutenant-
Governor
to be
visitor.

14.—(1) The Lieutenant-Governor of Ontario shall be a visitor of the said University.

Report of
University
Council.

(2) The University Council shall report to the Lieutenant-Governor at such time or times as he may appoint, on the general state, progress and prospects of the University, and upon all matters touching the same, with such suggestions as they think proper to make; and the Council shall also at all times, when thereunto required by the Lieutenant-Governor, inquire into, examine and report upon any subject or matter connected with the University, and copies of the annual report of the University and of such other reports as may be by the Lieutenant-Governor required shall be laid before the Legislative Assembly of the Province of Ontario, at the next session thereof.

Objects of
University.

15. The objects of the University are hereby declared to be:

- (a) to promote art, science, education, instruction in law, medicine, engineering, agriculture, pharmacy and every other useful branch of learning;
- (b) to promote the intellectual, moral and physical welfare of its undergraduates, graduates and teaching staff.

Status and
powers of
University
as from
August 15th,
1866.

16.—(1) Subject to the provisions in this Act contained the status and powers of the University as a university are hereby continued and shall be deemed to have subsisted as from the 15th day of August, 1866.

Power to
confer
degrees.

(2) The University shall have power and authority after proper examinations to confer in all branches of learning any and all degrees which may properly be conferred by a university.

Power to con-
fer *ad honorem*
degrees.

(3) The University shall also have power and authority to confer any of the said degrees as *ad honorem* degrees.

Constitution
of governing
and manag-
ing persons
and bodies.

17. The governing and managing persons and bodies of the University shall be the Chancellor, the Rector, the University Council, the Senate and the faculties, which bodies shall be constituted and which persons and bodies shall enjoy and possess the power and authority respectively hereinafter conferred upon each one of them.

Appoint-
ment of
Chancellor.

18.—(1) The Chancellor of the University shall be appointed by the University Council and he shall hold office for such term and shall have such powers as shall be determined by the University Council pursuant to its by-laws. A Vice-Chancellor may be appointed by the Council with the approval of the Senate, and said Vice-Chancellor shall have precedence, after the Chancellor, over all officers of the University at Convocation and at all public functions of the University.

Chancellor
to be titular
head, etc.

(2) The Chancellor shall be the titular head of the University, and shall be accorded the place of honour at Convocation and other public functions; he shall preside at examinations if he is present, and shall, at his option, as of right first sign all diplomas to degrees.

Constitution
of University
Council.

19. The University Council shall consist of the following members: The Rector, the Vice-Rector, the Secretary, the Bursar, together with such other officers and members as the council may by by-law provide for.

Duties and
powers of
University
Council.

20.—(1) The University Council, subject only to the powers which are by this Act expressly and exclusively conferred upon the Chancellor, the Rector, the Senate, the faculties respectively, shall have the control and management of all the affairs and business of the University, and for greater certainty but not so as to limit the generality of the foregoing, it is declared that the Council shall have power to

- (a) pass by-laws providing for the term of office and mode of appointment of the members of the Council and for filling any vacancy which may occur in the Council by death, resignation or otherwise;
- (b) pass by-laws providing rules and regulations pertaining to the meetings of the Council and its transactions and for fixing the quorum of the Council;
- (c) appoint such officers, proctors, regents, deans, professors, lecturers, teachers and servants of the said University as shall be necessary for the good government of the affairs of the University and to allow to them and to the Examiners such compensation for their services as to the Council may be deemed reasonable and proper and define and limit the duties of all such officers, proctors, regents, deans, professors, lecturers, teachers and servants;
- (d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the Council in such manner as to the Council may seem meet;
- (e) establish in the University such faculties, special schools, departments, chairs and courses of instruction as to the Council may seem meet;
- (f) subject to the provisions of this Act, provide for the affiliation with the University of any college, seminary or other institution of learning;

- (g) pass by-laws providing rules and regulations for the government of the same.
- (h) Provide for the enforcement of law and order within the confines of the University property and appoint constables for such purpose, and the constables so appointed shall have the same powers as constables of municipalities;
- (i) upon the advice and report of the Senate cancel, recall and suspend any degree whether heretofore or hereafter granted or conferred upon any graduate of the University heretofore or hereafter convicted in Ontario or elsewhere of an offence which if committed in Canada would be an indictable offence, or heretofore or hereafter guilty of any infamous or disgraceful conduct or of conduct unbecoming a graduate of the University, to erase the name of such graduate from the roll or register of graduates and to require the surrender for cancellation of the diplomas, certificate or other instrument evidencing the right of such graduate to a degree of which he shall have been deprived under the authority of any by-law passed by the Council under this subsection.

Power to
veto.

(2) Notwithstanding anything in this Act contained, the University Council shall have the power and the right, for reasons affecting the general welfare of the University of which reasons the Council shall be the sole judge, to veto any act or decision of the Senate or of the councils of the Faculties, excepting the exercise by the Senate of its right to allow and grant degrees.

Powers of
rector.

21. The Rector, subject to the by-laws of the University Council, shall be the manager of the affairs of the University and in all cases not provided for by this Act or by the by-laws of the Council shall have power and authority to act on behalf of the University; he shall, subject only to the by-laws of the Council as to the place and notice of meetings, have the right to call any meeting of the Council, of the Senate or of councils or boards or committees of the Faculties, if such be established, and preside, if he is present, at all meetings of the Council, of the Senate and of the councils or boards or committees of the Faculties whether called by him or not and vote thereat; he shall in the absence of the Chancellor preside, if he is present, at examinations and shall first sign all University diplomas or degrees unless the Chancellor chooses to do so, in which event he shall sign immediately after the Chancellor and shall have such other powers as the Council may by by-law provide.

Duties of
secretary.

22. The secretary shall maintain and keep the register or roll of graduates of the University and of those persons who have or shall receive *ad honorem* degrees; he shall be the secretary of the University Council and of the Senate; he shall sign all University diplomas after the Rector and he shall perform such other duties as may be assigned to him by the Rector or by the University Council.

Duties of
Vice-Rector
and other
officers.

23. The Vice-Rector and the other officers of the University Council shall have such rights and perform such duties as may from time to time be assigned to them by by-laws of the University Council.

Constitution
of the
Senate.

24. The Senate of the University, in this Act referred to as "the Senate," shall consist of the following members:

- (a) The Chancellor for the time being;
- (b) The Vice-Chancellor for the time being, if such be appointed;
- (c) The Rector;
- (d) The Vice-Rector, the Secretary, and the Bursar of the University; and the other officers and members of the University Council.
- (e) The persons for the time being holding the following positions in the University:
 - (i) The regent, the dean, the vice-dean, and the secretary of each of the faculties of the University;
 - (ii) The proctors of the University;
 - (iii) The Heads of Departments and the Directors of the special schools operated by the University, but not conducted as organized faculties;
 - (iv) Professors appointed from the several Faculties in a manner to be determined by the Council;
 - (v) Masters of Colleges and of those Halls of Residence to which the right of representation in the Senate has been granted;
 - (vi) One member from each of the institutions affiliated with the University, in all cases where the conditions of the agreement of

affiliation entitle such affiliated institution to appoint a representative;

(f) Representatives of the Graduates to be elected in the manner and to the number that shall be determined from time to time by the Senate;

(g) Certain other persons whom the Senate and Council may wish to elect for special reasons or on account of signal service rendered to the University. But the number of such persons shall at no time exceed one-sixth of the total number of the members in the Senate.

(h) Such other persons whose presence in the Senate is considered desirable and who do not come under any of the above classifications upon the unanimous recommendation of the Council and a two-thirds vote of the Senate. The number of such persons so elected shall at no time exceed one-tenth of the total number of the members in the Senate.

Rector or
Vice-Rector
to preside at
meetings.

25.—(1) At all meetings of the Senate, the Rector, or, in his absence, the Vice-Rector shall preside.

Questions
to be
decided
by vote.

(2) All questions which shall come up before the Senate shall be decided by a majority of votes of the members present, including the vote of the Rector, or other presiding member of the Senate, and in case of an equal division of such votes the Rector or in his absence the presiding member at such meeting shall have an additional or casting vote.

Quorum.

(3) A majority of all the members of the Senate in actual residence at the University shall constitute a quorum for the transaction of business.

Meetings.

(4) The Senate shall meet at the University Building in Kingston from time to time when convened by the Rector, and at such times as the members of the Senate shall by by-law appoint.

Powers of
senate.

26. The Senate shall have the power and authority to confer any and all degrees which may be conferred by the University, provided the courses of study prescribed for matriculation into the University shall in an essential sense be equivalent to those prescribed for matriculation into the University of Toronto and in respect to any degree which the said Senate has power to confer the courses of instruction and the scope of examinations for such degree shall also be equivalent to the courses and examinations for a corresponding degree in the University of Toronto, to the end that the standard and qualifications for admission and degrees in the University may

be not inferior to, although not necessarily identical with those adopted in the University of Toronto.

Duties of senate as to reports, promotions, etc.

27.—(1) The Senate shall receive the reports from the Faculties and from the special schools, departments, chairs and courses of instruction as to the examinations passed by the students, and shall grant academic promotion to those who, in the opinion of the Senate, shall be worthy of promotion.

Ad honorem degrees.

(2) The Senate may either refuse or confer *ad honorem* degree to persons recommended by the University Council.

Conferring of degrees.

(3) After proper examinations the Senate shall have the power and authority to confer degrees upon payment of such reasonable fees as the University Council shall by by-law from time to time determine, such fees to be paid to the general fund of the University.

Scholarships, prizes, etc.

(4) The Senate may grant such scholarships and prizes as to the Senate may seem meet, provided, however, the University Council has previously approved of the granting of such scholarships and prizes.

Senate to advise and report on faculties, etc.

(5) The Senate shall advise and report to the University Council as to the establishing, including the constitution thereof in the University, of such faculties, special schools, departments, chairs and courses of instruction, as to the Senate may seem meet.

Recommendations.

(6) The Senate may make such recommendations to the Council as may be deemed proper for promoting the interests of the University or for carrying out the objects and provisions of this Act.

Government of faculty.

28. Every Faculty established by the University shall be governed in accordance with the rules and regulations which shall be passed for its good government. There shall be appointed in each Faculty administrative officers, who shall be a Dean, a Vice-Dean, a Secretary, and in some Faculties a Regent who shall have general jurisdiction.

Examination of candidates.

29. Once at least in every year at a time or times to be fixed by the Senate, the Senate shall cause to be held an examination of the candidates for degrees, certificates of proficiency, scholarships and prizes, and at any such examination the candidates shall be examined by examiners appointed for the purpose by the Councils of the Faculties and by the Directors of special schools, departments, chairs and courses of instruction and at every such examination the candidates shall be examined orally or in writing or otherwise.

Examiners
to make
declaration.

30. The examiners may be required to make in writing the declaration which appears in schedule "B" hereto.

Affiliation
with other
colleges, etc.

31.—(1) The University may by by-law passed by the Senate and confirmed by the University Council, provide that any college, seminary or other institution established in any province of Canada may become affiliated to and connected with the University for the purpose of admitting therefrom as candidates at examinations for the degrees which the University is authorized to confer, such persons as may have successfully completed in such college, seminary or other institution whilst affiliated with the University, such course of instruction, preliminary to any of the said respective examinations for standing or for scholarships, honours, degrees or certificates as the University shall from time to time by regulations in that behalf determine; provided always that no college, seminary or other institution of learning in the Province of Ontario now in affiliation with the University of Toronto and no university in the Province of Ontario shall affiliate to or connect with the said Canada University.

Agreement
of
affiliation.

(2) The agreement of affiliation entered into between the University and the affiliated college, seminary or other institution shall contain provisions setting out the conditions upon which the said affiliated institutions shall be entitled to representation in the Senate of the University.

(3) The said agreement of affiliation shall also contain provisions stipulating that the qualifications for admission into any such affiliated institution and the courses of study therein shall not be inferior to those by this Act prescribed for the said University.

Commence-
ment of Act.

32. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

(Referred to in Section 2)

1. Section 3 of an Act of the Legislature of Upper Canada, passed in the seventh year of the reign of His Majesty William IV, chapter 56.

2. An Act of the Legislature of the Province of Canada, passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, chapter 133.

3. An Act of the Legislature of the Province of Ontario, passed in the twenty-first year of the reign of His Majesty George V, chapter 137.

SCHEDULE "B"

FORM OF DECLARATION

EXAMINERS

I,
solemnly declare that I will perform my duty of examiner without fear, love or affection or partiality towards any candidate, and that I will not knowingly allow to any candidate any advantage which is not equally allowed to all.

BILL

An Act respecting the University of
Regiopolis.

1st Reading

February 27th, 1934

2nd Reading

3rd Reading

MR. HAMBLY

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the University of Regiopolis.

MR. HAMBLY

(PRIVATE BILL)

No. 27

1934

BILL

An Act respecting the University of Regiopolis.

Preamble.

WHEREAS the College of Regiopolis was incorporated by an Act of the Legislature of Upper Canada in the seventh year of the reign of His Majesty King William IV, being chapter 56, and said Act was amended by 8 Victoria, chapter 79, and the said College was granted full University powers by an Act of Parliament of the Province of Canada passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, 1866, chapter 133, and said Acts were amended by an Act passed in the twenty-first year of the reign of His Majesty George V, Statute of Ontario, 1931, chapter 137, and has by its petition sought further powers and amendments; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Canada University Act, 1934*.

Acts repealed.

2. The Acts set out in schedule "A" hereto are repealed and the provisions of this Act are substituted therefor.

Change of name.

3. The corporation of the University of Regiopolis is hereby continued under such name as may be designated by the Lieutenant-Governor in Council and, subject to the provision of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it may now have, hold, possess and enjoy.

University to be body corporate and politic.

4. The University shall be a body corporate and politic in deed and in name.

Members of University.

5. The University shall be constituted of the present Board of Trustees of the University of Regiopolis, who with others whom they may elect to membership pursuant to the by-laws

shall form the University Council of the University and such members shall hold office for such length of time as shall be determined by the by-laws of said University Council.

Power to
acquire and
hold real and
personal
property.

6. The University shall have power to and for the uses and purposes of the said University to purchase or otherwise take or receive, hold and enjoy any estate whatsoever, real or personal, and to alienate, sell, convey, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate, real and personal, in addition to or in place thereof to and for the uses and purposes of the said University.

Power to
borrow
money,
issue bonds,
etc.

7. If and when authorized by by-law duly passed by the University Council, the University shall have the power to,—

- (a) Borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the said Council;
- (b) Make, draw and endorse promissory notes or bills of exchange;
- (c) Hypothecate, pledge or charge any or all the personal and real property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) Issue bonds, debentures and obligations on such terms and conditions as the council may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the council may decide; and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the University to secure any such bonds, debentures and obligations.

Application
of rents,
revenues,
etc.

8. The rents, revenues, issues and profits of all property, real and personal, held by the said University and all other income of the University shall be appropriated and applied solely to the maintenance of the members of the University, the construction and repair of the buildings requisite for the purposes of the University, and to the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

Property
vested in the
University.

9. All and every the estate and property, real and personal, belonging to or hereafter to be acquired by the officers or

members of the University as such and all debts, claims and rights whatsoever due to them in that quality shall be and are hereby vested in the University.

Members
and officers
not individ-
ually liable
for debts,
etc.

10. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the said University, or any person whatsoever individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account or in respect of any matter or thing whatsoever relating to the University.

Land
vested in
University
not liable to
expropria-
tion.

11. The real property of the University shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose; and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Exemption
of property
from
taxation.

12. The property, real and personal, vested in the University, shall not be liable to taxation for municipal or school purposes, and shall be exempt from every description of such taxation; but the interest of every lessee and occupant (provided such lessee and occupant be not a member of the University or a member of the teaching staff or a servant or a student of the University or of a teaching community or Government institution for scientific or educational purposes) or of real property vested in the University shall be liable to taxation.

Act not to
affect His
Majesty's
rights.

13. Nothing in this Act shall affect any right of His Majesty, his heirs or successors, or of any party or persons whomsoever; such rights only excepted as are herein expressly mentioned or affected.

Lieutenant-
Governor
to be
visitor.

14.—(1) The Lieutenant-Governor of Ontario shall be a visitor of the said University.

Report of
University
Council.

(2) The University Council shall report to the Lieutenant-Governor at such time or times as he may appoint, on the general state, progress and prospects of the University, and upon all matters touching the same, with such suggestions as they think proper to make; and the Council shall also at all times, when thereunto required by the Lieutenant-Governor, inquire into, examine and report upon any subject or matter connected with the University, and copies of the annual report of the University and of such other reports as may be by the Lieutenant-Governor required shall be laid

before the Legislative Assembly of the Province of Ontario, at the next session thereof.

Objects of University.

15. The objects of the University are hereby declared to be:

- (a) to promote art, science, education, instruction in law, medicine, engineering, agriculture, pharmacy and every other useful branch of learning;
- (b) to promote the intellectual, moral and physical welfare of its undergraduates, graduates and teaching staff.

Status and powers of University as from August 15th, 1866.

16.—(1) Subject to the provisions in this Act contained the status and powers of the University as a university are hereby continued and shall be deemed to have subsisted as from the 15th day of August, 1866.

Power to confer degrees.

(2) The University shall have power and authority after proper examinations to confer in all branches of learning any and all degrees which may properly be conferred by a university.

Power to confer *ad honorem* degrees.

(3) The University shall also have power and authority to confer any of the said degrees as *ad honorem* degrees.

Constitution of governing and managing persons and bodies.

17. The governing and managing persons and bodies of the University shall be the Chancellor, the Rector, the University Council, the Senate and the faculties, which bodies shall be constituted and which persons and bodies shall enjoy and possess the power and authority respectively hereinafter conferred upon each one of them.

Appointment of Chancellor.

18.—(1) The Chancellor of the University shall be appointed by the University Council and he shall hold office for such term and shall have such powers as shall be determined by the University Council pursuant to its by-laws. A Vice-Chancellor may be appointed by the Council with the approval of the Senate, and said Vice-Chancellor shall have precedence, after the Chancellor, over all officers of the University at Convocation and at all public functions of the University.

Chancellor to be titular head, etc.

(2) The Chancellor shall be the titular head of the University, and shall be accorded the place of honour at Convocation and other public functions; he shall preside at examinations if he is present, and shall, at his option, as of right first sign all diplomas to degrees.

Constitution of University Council.

19. The University Council shall consist of the following members: The Rector, the Vice-Rector, the Secretary, the

Bursar, together with such other officers and members as the council may by by-law provide for.

Duties and
powers of
University
Council.

20.—(1) The University Council, subject only to the powers which are by this Act expressly and exclusively conferred upon the Chancellor, the Rector, the Senate, the faculties respectively, shall have the control and management of all the affairs and business of the University, and for greater certainty but not so as to limit the generality of the foregoing, it is declared that the Council shall have power to

- (a) pass by-laws providing for the term of office and mode of appointment of the members of the Council and for filling any vacancy which may occur in the Council by death, resignation or otherwise;
- (b) pass by-laws providing rules and regulations pertaining to the meetings of the Council and its transactions and for fixing the quorum of the Council;
- (c) appoint such officers, proctors, regents, deans, professors, lecturers, teachers and servants of the said University as shall be necessary for the good government of the affairs of the University and to allow to them and to the Examiners such compensation for their services as to the Council may be deemed reasonable and proper and define and limit the duties of all such officers, proctors, regents, deans, professors, lecturers, teachers and servants;
- (d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the Council in such manner as to the Council may seem meet;
- (e) establish in the University such faculties, special schools, departments, chairs and courses of instruction as to the Council may seem meet;
- (f) subject to the provisions of this Act, provide for the affiliation with the University of any college, seminary or other institution of learning;
- (g) pass by-laws providing rules and regulations for the government of the same.
- (h) upon the advice and report of the Senate cancel, recall and suspend any degree whether heretofore or hereafter granted or conferred upon any graduate of the University heretofore or hereafter convicted in Ontario or elsewhere of an offence which if committed

in Canada would be an indictable offence, or heretofore or hereafter guilty of any infamous or disgraceful conduct or of conduct unbecoming a graduate of the University, to erase the name of such graduate from the roll or register of graduates and to require the surrender for cancellation of the diplomas, certificate or other instrument evidencing the right of such graduate to a degree of which he shall have been deprived under the authority of any by-law passed by the Council under this subsection.

Power to
veto.

(2) Notwithstanding anything in this Act contained, the University Council shall have the power and the right, for reasons affecting the general welfare of the University of which reasons the Council shall be the sole judge, to veto any act or decision of the Senate or of the councils of the Faculties, excepting the exercise by the Senate of its right to allow and grant degrees.

Powers of
rector.

21. The Rector, subject to the by-laws of the University Council, shall be the manager of the affairs of the University and in all cases not provided for by this Act or by the by-laws of the Council shall have power and authority to act on behalf of the University; he shall, subject only to the by-laws of the Council as to the place and notice of meetings, have the right to call any meeting of the Council, of the Senate or of councils or boards or committees of the Faculties, if such be established, and preside, if he is present, at all meetings of the Council, of the Senate and of the councils or boards or committees of the Faculties whether called by him or not and vote thereat; he shall in the absence of the Chancellor preside, if he is present, at examinations and shall first sign all University diplomas or degrees unless the Chancellor chooses to do so, in which event he shall sign immediately after the Chancellor and shall have such other powers as the Council may by by-law provide.

Duties of
secretary.

22. The secretary shall maintain and keep the register or roll of graduates of the University and of those persons who have or shall receive *ad honorem* degrees; he shall be the secretary of the University Council and of the Senate; he shall sign all University diplomas after the Rector and he shall perform such other duties as may be assigned to him by the Rector or by the University Council.

Duties of
Vice-Rector
and other
officers.

23. The Vice-Rector and the other officers of the University Council shall have such rights and perform such duties as may from time to time be assigned to them by by-laws of the University Council.

24. The Senate of the University, in this Act referred to as "the Senate," shall consist of the following members:

- (a) The Chancellor for the time being;
- (b) The Vice-Chancellor for the time being, if such be appointed;
- (c) The Rector;
- (d) The Vice-Rector, the Secretary, and the Bursar of the University; and the other officers and members of the University Council.
- (e) The persons for the time being holding the following positions in the University:
 - (i) The regent, the dean, the vice-dean, and the secretary of each of the faculties of the University;
 - (ii) The proctors of the University;
 - (iii) The Heads of Departments and the Directors of the special schools operated by the University, but not conducted as organized faculties;
 - (iv) Professors appointed from the several Faculties in a manner to be determined by the Council;
 - (v) Masters of Colleges and of those Halls of Residence to which the right of representation in the Senate has been granted;
 - (vi) One member from each of the institutions affiliated with the University, in all cases where the conditions of the agreement of affiliation entitle such affiliated institution to appoint a representative;
- (f) Representatives of the Graduates to be elected in the manner and to the number that shall be determined from time to time by the Senate;
- (g) Certain other persons whom the Senate and Council may wish to elect for special reasons or on account of signal service rendered to the University. But the number of such persons shall at no time exceed one-sixth of the total number of the members in the Senate.

- (h) Such other persons whose presence in the Senate is considered desirable and who do not come under any of the above classifications upon the unanimous recommendation of the Council and a two-thirds vote of the Senate. The number of such persons so elected shall at no time exceed one-tenth of the total number of the members in the Senate.

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25.—(1) At all meetings of the Senate, the Rector, or, in his absence, the Vice-Rector shall preside.

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(2) All questions which shall come up before the Senate shall be decided by a majority of votes of the members present, including the vote of the Rector, or other presiding member of the Senate, and in case of an equal division of such votes the Rector or in his absence the presiding member at such meeting shall have an additional or casting vote.

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(3) A majority of all the members of the Senate in actual residence at the University shall constitute a quorum for the transaction of business.

Meetings.

(4) The Senate shall meet at the University Building in Kingston from time to time when convened by the Rector, and at such times as the members of the Senate shall by by-law appoint.

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senate.

26. The Senate shall have the power and authority to confer any and all degrees which may be conferred by the University, provided the courses of study prescribed for matriculation into the University shall in an essential sense be equivalent to those prescribed for matriculation into the University of Toronto and in respect to any degree which the said Senate has power to confer the courses of instruction and the scope of examinations for such degree shall also be equivalent to the courses and examinations for a corresponding degree in the University of Toronto, to the end that the standard and qualifications for admission and degrees in the University may be not inferior to, although not necessarily identical with those adopted in the University of Toronto.

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27.—(1) The Senate shall receive the reports from the Faculties and from the special schools, departments, chairs and courses of instruction as to the examinations passed by the students, and shall grant academic promotion to those who, in the opinion of the Senate, shall be worthy of promotion.

Ad honorem
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prizes, etc.

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of faculty.

28. Every Faculty established by the University shall be governed in accordance with the rules and regulations which shall be passed for its good government. There shall be appointed in each Faculty administrative officers, who shall be a Dean, a Vice-Dean, a Secretary, and in some Faculties a Regent who shall have general jurisdiction.

Examination
of
candidates.

29. Once at least in every year at a time or times to be fixed by the Senate, the Senate shall cause to be held an examination of the candidates for degrees, certificates of proficiency, scholarships and prizes, and at any such examination the candidates shall be examined by examiners appointed for the purpose by the Councils of the Faculties and by the Directors of special schools, departments, chairs and courses of instruction and at every such examination the candidates shall be examined orally or in writing or otherwise.

Examiners
to make
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30. The examiners may be required to make in writing the declaration which appears in schedule "B" hereto.

Affiliation
with other
colleges, etc.

31.—(1) The University may by by-law passed by the Senate and confirmed by the University Council, provide that any college, seminary or other institution established in any province of Canada may become affiliated to and connected with the University for the purpose of admitting therefrom as candidates at examinations for the degrees which the University is authorized to confer, such persons as may have successfully completed in such college, seminary or other institution whilst affiliated with the University, such course of instruction, preliminary to any of the said respective examinations for

standing or for scholarships, honours, degrees or certificates as the University shall from time to time by regulations in that behalf determine; provided always that no college, seminary or other institution of learning in the Province of Ontario now in affiliation with the University of Toronto and no university in the Province of Ontario shall affiliate to or connect with the said Canada University.

Agreement
of
affiliation.

(2) The agreement of affiliation entered into between the University and the affiliated college, seminary or other institution shall contain provisions setting out the conditions upon which the said affiliated institutions shall be entitled to representation in the Senate of the University.

(3) The said agreement of affiliation shall also contain provisions stipulating that the qualifications for admission into any such affiliated institution and the courses of study therein shall not be inferior to those by this Act prescribed for the said University.

Commence-
ment of Act.

32. This Act shall come into force on the day upon which it receives the Royal Assent.

•

SCHEDULE "A"

(Referred to in Section 2)

1. Section 3 of an Act of the Legislature of Upper Canada, passed in the seventh year of the reign of His Majesty William IV, chapter 56.
2. An Act of the Legislature of the Province of Canada, passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, chapter 133.
3. An Act of the Legislature of the Province of Ontario, passed in the twenty-first year of the reign of His Majesty George V, chapter 137.

SCHEDULE "B"

FORM OF DECLARATION

EXAMINERS

I,
solemnly declare that I will perform my duty of examiner without fear,
love or affection or partiality towards any candidate, and that I will not
knowingly allow to any candidate any advantage which is not equally
allowed to all.

BILL

An Act respecting the University of
Regiopolis.

1st Reading

February 27th, 1934

2nd Reading

3rd Reading

MR. HAMBLV

*(Reprinted as amended by the Private
Bills Committee)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the University of Regiopolis.

MR. HAMBLY

No. 27

1934

BILL

An Act respecting the University of Regiopolis.

Preamble.

WHEREAS the College of Regiopolis was incorporated by an Act of the Legislature of Upper Canada in the seventh year of the reign of His Majesty King William IV, being chapter 56, and said Act was amended by 8 Victoria, chapter 79, and the said College was granted full University powers by an Act of Parliament of the Province of Canada passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, 1866, chapter 133, and said Acts were amended by an Act passed in the twenty-first year of the reign of His Majesty George V, Statute of Ontario, 1931, chapter 137, and has by its petition sought further powers and amendments; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Regiopolis University Act, 1934*.

Acts repealed.

2. The Acts set out in schedule "A" hereto are repealed and the provisions of this Act are substituted therefor.

Change of name.

3. The corporation of the University of Regiopolis is hereby continued under such name as may be designated by the Lieutenant-Governor in Council and, subject to the provision of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it may now have, hold, possess and enjoy.

University to be body corporate and politic.

4. The University shall be a body corporate and politic in deed and in name.

Members of University.

5. The University shall be constituted of the present Board of Trustees of the University of Regiopolis, who with others whom they may elect to membership pursuant to the by-laws

shall form the University Council of the University and such members shall hold office for such length of time as shall be determined by the by-laws of said University Council.

6. The University shall have power to and for the uses and purposes of the said University to purchase or otherwise take or receive, hold and enjoy any estate whatsoever, real or personal, and to alienate, sell, convey, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate, real and personal, in addition to or in place thereof to and for the uses and purposes of the said University.

Power to acquire and hold real and personal property.

7. If and when authorized by by-law duly passed by the University Council, the University shall have the power to,—

Power to borrow money, issue bonds, etc.

- (a) Borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the said Council;
- (b) Make, draw and endorse promissory notes or bills of exchange;
- (c) Hypothecate, pledge or charge any or all the personal and real property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) Issue bonds, debentures and obligations on such terms and conditions as the council may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the council may decide; and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the University to secure any such bonds, debentures and obligations.

8. The rents, revenues, issues and profits of all property, real and personal, held by the said University and all other income of the University shall be appropriated and applied solely to the maintenance of the members of the University, the construction and repair of the buildings requisite for the purposes of the University, and to the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

Application of rents, revenues, etc.

9. All and every the estate and property, real and personal, belonging to or hereafter to be acquired by the officers or

Property vested in the University.

members of the University as such and all debts, claims and rights whatsoever due to them in that quality shall be and are hereby vested in the University.

Members
and officers
not individ-
ually liable
for debts,
etc.

10. Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the said University, or any person whatsoever individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account or in respect of any matter or thing whatsoever relating to the University.

Land
vested in
University
not liable to
expropria-
tion.

11. The real property of the University shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose; and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Exemption
of property
from
taxation.

12. The property, real and personal, vested in the University, shall not be liable to taxation for municipal or school purposes, and shall be exempt from every description of such taxation; but the interest of every lessee and occupant (provided such lessee and occupant be not a member of the University or a member of the teaching staff or a servant or a student of the University or of a teaching community or Government institution for scientific or educational purposes) or of real property vested in the University shall be liable to taxation.

Act not to
affect His
Majesty's
rights.

13. Nothing in this Act shall affect any right of His Majesty, his heirs or successors, or of any party or persons whomsoever; such rights only excepted as are herein expressly mentioned or affected.

Lieutenant-
Governor
to be
visitor.

14.—(1) The Lieutenant-Governor of Ontario shall be a visitor of the said University.

Report of
University
Council.

(2) The University Council shall report to the Lieutenant-Governor at such time or times as he may appoint, on the general state, progress and prospects of the University, and upon all matters touching the same, with such suggestions as they think proper to make; and the Council shall also at all times, when thereunto required by the Lieutenant-Governor, inquire into, examine and report upon any subject or matter connected with the University, and copies of the annual report of the University and of such other reports as may be by the Lieutenant-Governor required shall be laid

before the Legislative Assembly of the Province of Ontario, at the next session thereof.

15. The objects of the University are hereby declared to be: Objects of University.

- (a) to promote art, science, education, instruction in law, medicine, engineering, agriculture, pharmacy and every other useful branch of learning;
- (b) to promote the intellectual, moral and physical welfare of its undergraduates, graduates and teaching staff.

16.—(1) Subject to the provisions in this Act contained the status and powers of the University as a university are hereby continued and shall be deemed to have subsisted as from the 15th day of August, 1866. Status and powers of University as from August 15th, 1866.

(2) The University shall have power and authority after proper examinations to confer in all branches of learning any and all degrees which may properly be conferred by a university. Power to confer degrees.

(3) The University shall also have power and authority to confer any of the said degrees as *ad honorem* degrees. Power to confer *ad honorem* degrees.

17. The governing and managing persons and bodies of the University shall be the Chancellor, the Rector, the University Council, the Senate and the faculties, which bodies shall be constituted and which persons and bodies shall enjoy and possess the power and authority respectively hereinafter conferred upon each one of them. Constitution of governing and managing persons and bodies.

18.—(1) The Chancellor of the University shall be appointed by the University Council and he shall hold office for such term and shall have such powers as shall be determined by the University Council pursuant to its by-laws. A Vice-Chancellor may be appointed by the Council with the approval of the Senate, and said Vice-Chancellor shall have precedence, after the Chancellor, over all officers of the University at Convocation and at all public functions of the University. Appointment of Chancellor.

(2) The Chancellor shall be the titular head of the University, and shall be accorded the place of honour at Convocation and other public functions; he shall preside at examinations if he is present, and shall, at his option, as of right first sign all diplomas to degrees. Chancellor to be titular head, etc.

19. The University Council shall consist of the following members: The Rector, the Vice-Rector, the Secretary, the Constitution of University Council.

Bursar, together with such other officers and members as the council may by by-law provide for.

Duties and
powers of
University
Council.

20.—(1) The University Council, subject only to the powers which are by this Act expressly and exclusively conferred upon the Chancellor, the Rector, the Senate, the faculties respectively, shall have the control and management of all the affairs and business of the University, and for greater certainty but not so as to limit the generality of the foregoing, it is declared that the Council shall have power to

- (a) pass by-laws providing for the term of office and mode of appointment of the members of the Council and for filling any vacancy which may occur in the Council by death, resignation or otherwise;
- (b) pass by-laws providing rules and regulations pertaining to the meetings of the Council and its transactions and for fixing the quorum of the Council;
- (c) appoint such officers, proctors, regents, deans, professors, lecturers, teachers and servants of the said University as shall be necessary for the good government of the affairs of the University and to allow to them and to the Examiners such compensation for their services as to the Council may be deemed reasonable and proper and define and limit the duties of all such officers, proctors, regents, deans, professors, lecturers, teachers and servants;
- (d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the Council in such manner as to the Council may seem meet;
- (e) establish in the University such faculties, special schools, departments, chairs and courses of instruction as to the Council may seem meet;
- (f) subject to the provisions of this Act, provide for the affiliation with the University of any college, seminary or other institution of learning;
- (g) pass by-laws providing rules and regulations for the government of the same.
- (h) upon the advice and report of the Senate cancel, recall and suspend any degree whether heretofore or hereafter granted or conferred upon any graduate of the University heretofore or hereafter convicted in Ontario or elsewhere of an offence which if committed

in Canada would be an indictable offence, or heretofore or hereafter guilty of any infamous or disgraceful conduct or of conduct unbecoming a graduate of the University, to erase the name of such graduate from the roll or register of graduates and to require the surrender for cancellation of the diplomas, certificate or other instrument evidencing the right of such graduate to a degree of which he shall have been deprived under the authority of any by-law passed by the Council under this subsection.

(2) Notwithstanding anything in this Act contained, the University Council shall have the power and the right, for reasons affecting the general welfare of the University of which reasons the Council shall be the sole judge, to veto any act or decision of the Senate or of the councils of the Faculties, excepting the exercise by the Senate of its right to allow and grant degrees. Power to veto.

21. The Rector, subject to the by-laws of the University Council, shall be the manager of the affairs of the University and in all cases not provided for by this Act or by the by-laws of the Council shall have power and authority to act on behalf of the University; he shall, subject only to the by-laws of the Council as to the place and notice of meetings, have the right to call any meeting of the Council, of the Senate or of councils or boards or committees of the Faculties, if such be established, and preside, if he is present, at all meetings of the Council, of the Senate and of the councils or boards or committees of the Faculties whether called by him or not and vote thereat; he shall in the absence of the Chancellor preside, if he is present, at examinations and shall first sign all University diplomas or degrees unless the Chancellor chooses to do so, in which event he shall sign immediately after the Chancellor and shall have such other powers as the Council may by by-law provide. Powers of rector.

22. The secretary shall maintain and keep the register or roll of graduates of the University and of those persons who have or shall receive *ad honorem* degrees; he shall be the secretary of the University Council and of the Senate; he shall sign all University diplomas after the Rector and he shall perform such other duties as may be assigned to him by the Rector or by the University Council. Duties of secretary.

23. The Vice-Rector and the other officers of the University Council shall have such rights and perform such duties as may from time to time be assigned to them by by-laws of the University Council. Duties of Vice-Rector and other officers.

Constitution
of the
Senate.

24. The Senate of the University, in this Act referred to as "the Senate," shall consist of the following members:

- (a) The Chancellor for the time being;
- (b) The Vice-Chancellor for the time being, if such be appointed;
- (c) The Rector;
- (d) The Vice-Rector, the Secretary, and the Bursar of the University; and the other officers and members of the University Council.
- (e) The persons for the time being holding the following positions in the University:
 - (i) The regent, the dean, the vice-dean, and the secretary of each of the faculties of the University;
 - (ii) The proctors of the University;
 - (iii) The Heads of Departments and the Directors of the special schools operated by the University, but not conducted as organized faculties;
 - (iv) Professors appointed from the several Faculties in a manner to be determined by the Council;
 - (v) Masters of Colleges and of those Halls of Residence to which the right of representation in the Senate has been granted;
 - (vi) One member from each of the institutions affiliated with the University, in all cases where the conditions of the agreement of affiliation entitle such affiliated institution to appoint a representative;
- (f) Representatives of the Graduates to be elected in the manner and to the number that shall be determined from time to time by the Senate;
- (g) Certain other persons whom the Senate and Council may wish to elect for special reasons or on account of signal service rendered to the University. But the number of such persons shall at no time exceed one-sixth of the total number of the members in the Senate.

- (h) Such other persons whose presence in the Senate is considered desirable and who do not come under any of the above classifications upon the unanimous recommendation of the Council and a two-thirds vote of the Senate. The number of such persons so elected shall at no time exceed one-tenth of the total number of the members in the Senate.

25.—(1) At all meetings of the Senate, the Rector, or, in his absence, the Vice-Rector shall preside. Rector or Vice-Rector to preside at meetings.

(2) All questions which shall come up before the Senate shall be decided by a majority of votes of the members present, including the vote of the Rector, or other presiding member of the Senate, and in case of an equal division of such votes the Rector or in his absence the presiding member at such meeting shall have an additional or casting vote. Questions to be decided by vote.

(3) A majority of all the members of the Senate in actual residence at the University shall constitute a quorum for the transaction of business. Quorum.

(4) The Senate shall meet at the University Building in Kingston from time to time when convened by the Rector, and at such times as the members of the Senate shall by by-law appoint. Meetings.

26. The Senate shall have the power and authority to confer any and all degrees which may be conferred by the University, provided the courses of study prescribed for matriculation into the University shall in an essential sense be equivalent to those prescribed for matriculation into the University of Toronto and in respect to any degree which the said Senate has power to confer the courses of instruction and the scope of examinations for such degree shall also be equivalent to the courses and examinations for a corresponding degree in the University of Toronto, to the end that the standard and qualifications for admission and degrees in the University may be not inferior to, although not necessarily identical with those adopted in the University of Toronto. Powers of senate.

27.—(1) The Senate shall receive the reports from the Faculties and from the special schools, departments, chairs and courses of instruction as to the examinations passed by the students, and shall grant academic promotion to those who, in the opinion of the Senate, shall be worthy of promotion. Duties of senate as to reports, promotions, etc.

(2) The Senate may either refuse or confer *ad honorem* degree to persons recommended by the University Council. Ad honorem degrees.

(3) After proper examinations the Senate shall have the power and authority to confer degrees upon payment of such Conferring of degrees.

reasonable fees as the University Council shall by by-law from time to time determine, such fees to be paid to the general fund of the University.

Scholarships,
prizes, etc.

(4) The Senate may grant such scholarships and prizes as to the Senate may seem meet, provided, however, the University Council has previously approved of the granting of such scholarships and prizes.

Senate to
advise and
report on
faculties,
etc.

(5) The Senate shall advise and report to the University Council as to the establishing, including the constitution thereof in the University, of such faculties, special schools, departments, chairs and courses of instruction, as to the Senate may seem meet.

Recommendations.

(6) The Senate may make such recommendations to the Council as may be deemed proper for promoting the interests of the University or for carrying out the objects and provisions of this Act.

Government
of faculty.

28. Every Faculty established by the University shall be governed in accordance with the rules and regulations which shall be passed for its good government. There shall be appointed in each Faculty administrative officers, who shall be a Dean, a Vice-Dean, a Secretary, and in some Faculties a Regent who shall have general jurisdiction.

Examination
of
candidates.

29. Once at least in every year at a time or times to be fixed by the Senate, the Senate shall cause to be held an examination of the candidates for degrees, certificates of proficiency, scholarships and prizes, and at any such examination the candidates shall be examined by examiners appointed for the purpose by the Councils of the Faculties and by the Directors of special schools, departments, chairs and courses of instruction and at every such examination the candidates shall be examined orally or in writing or otherwise.

Examiners
to make
declaration.

30. The examiners may be required to make in writing the declaration which appears in schedule "B" hereto.

Affiliation
with other
colleges, etc.

31.—(1) The University may by by-law passed by the Senate and confirmed by the University Council, provide that any college, seminary or other institution established in any province of Canada may become affiliated to and connected with the University for the purpose of admitting therefrom as candidates at examinations for the degrees which the University is authorized to confer, such persons as may have successfully completed in such college, seminary or other institution whilst affiliated with the University, such course of instruction, preliminary to any of the said respective examinations for

standing or for scholarships, honours, degrees or certificates as the University shall from time to time by regulations in that behalf determine; provided always that no college, seminary or other institution of learning in the Province of Ontario now in affiliation with the University of Toronto and no university in the Province of Ontario shall affiliate to or connect with the said Regiopolis University.

(2) The agreement of affiliation entered into between the University and the affiliated college, seminary or other institution shall contain provisions setting out the conditions upon which the said affiliated institutions shall be entitled to representation in the Senate of the University. ^{Agreement of affiliation.}

(3) The said agreement of affiliation shall also contain provisions stipulating that the qualifications for admission into any such affiliated institution and the courses of study therein shall not be inferior to those by this Act prescribed for the said University.

32. This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commence-
ment of Act.</sup>

SCHEDULE "A"

(Referred to in Section 2)

1. Section 3 of an Act of the Legislature of Upper Canada, passed in the seventh year of the reign of His Majesty William IV, chapter 56.
2. An Act of the Legislature of the Province of Canada, passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, chapter 133.
3. An Act of the Legislature of the Province of Ontario, passed in the twenty-first year of the reign of His Majesty George V, chapter 137.

SCHEDULE "B"

FORM OF DECLARATION

EXAMINERS

I,
solemnly declare that I will perform my duty of examiner without fear, love or affection or partiality towards any candidate, and that I will not knowingly allow to any candidate any advantage which is not equally allowed to all

NO. 21

BILL

An Act respecting the University of
Regiopolis.

1st Reading

February 27th, 1934

2nd Reading

March 29th, 1934

3rd Reading

March 29th, 1934

MR. HAMBLY

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of St. Catharines.

MR. GRAVES

(PRIVATE BILL)

No. 28

1934

BILL

An Act respecting the City of St. Catharines.

Preamble.

WHEREAS the corporation of the city of St. Catharines has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Catharines Act, 1934*.

By-law
No. 4163
to acquire
lands from
Imperial
Iron
Corporation
confirmed.

2. By-law number 4163 of the corporation of the city of St. Catharines, passed on the 10th day of June, 1933, being a by-law to authorize the purchase of a parcel of land from the Imperial Iron Corporation Limited is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and the said corporation is hereby authorized to carry out its obligations thereunder.

By-law
No. 4178,
relating to
Waterworks
Commission
confirmed.

3. By-law number 4178 of the said corporation passed on the 30th day of October, 1933, providing that the waterworks commission of the city of St. Catharines should consist of five members, of whom the head of the council shall be one, in accordance with the provisions of *The Public Utilities Act*, and providing for the election thereof, and ratifying, approving and confirming all the acts, matters and things done by the waterworks commission of the city of St. Catharines, is hereby confirmed and declared to be legal and valid, notwithstanding the provisions of any special Act constituting the waterworks commission of the city of St. Catharines and in so far as may be necessary any such special Act shall be deemed to be amended in accordance with the provisions of this section and of the said by-law.

Rev. Stat.,
c. 249.

4. By-law number 4189 of the said corporation passed on the 22nd day of January, 1934, and the agreement dated the 4th day of December, 1933, made between the said corporation

By-law
No. 4189
and agree-
ment with
Grout's
Limited for
fixed
assessment
confirmed.

and Grout's Limited, both relating to the granting of a fixed assessment to the said company, are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and the said company and its successors and assigns.

By-law
No. 4190
and agree-
ment with
Imperial
Iron
Corporation
for fixed
assessment
confirmed.

5. By-law number 4190 of the said corporation passed on the 22nd day of January, 1934, and the agreement dated the 4th day of December, 1933, made between the said corporation and Imperial Iron Corporation Limited, both relating to the granting of a fixed assessment to the said company, are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and the said company and its successors and assigns.

Powers of
Housing
Commission
to sell
properties.

6.—(1) The housing commission of the city of St. Catharines may, with the consent of the council of the said corporation, from time to time, acquire by purchase or otherwise and sell or resell by public or private tender or by public auction or private sale any of the houses erected by the said commission at such prices and upon such conditions and terms of payment as may be approved by the said council.

Power to
rent
properties.

(2) The said commission, pending the sale or resale of any property may rent the same to any person, firm or corporation from time to time upon such terms and at such rentals and upon such conditions as may be approved by the said council.

Special
rates for
unemploy-
ment relief
in full value
of all
rateable
property.

Rev. Stat.,
cc. 233, 238.

7. The council of the said corporation may from time to time and notwithstanding the provisions of *The Municipal Act*, *The Assessment Act* or any by-law or agreement of the corporation authorizing and granting a fixed assessment to any person, firm or corporation or this or any other special Act confirming any such by-law or agreement, pass by-laws to levy and may under the authority of such by-laws levy on the full assessed value of all the rateable property in the city of St. Catharines according to the revised assessment roll a special rate over and above all other rates for the purpose of defraying the cost to the said corporation of municipal relief provided by it under the provisions of *The Unemployment Relief Act, 1933*, and amendments thereto.

1933, c. 65.

Confirma-
tion of tax
sales and
conveyances.

8.—(1) All sales of land within the city of St. Catharines made prior to the 31st day of January, 1933, and purporting to have been made by the corporation of the city of St. Catharines or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey

the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending
litigation not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

9. This Act, other than section 8, shall come into force on the day upon which it receives the Royal Assent. Section 8 shall come into force on the 1st day of July, 1934.

SCHEDULE

CITY OF ST. CATHARINES

BY-LAW No. 4163

A By-law to authorize the purchase of land from the Imperial Iron Corporation Limited.

The Council of the Corporation of the City of St. Catharines enacts as follows:

1. That the Corporation be and it is hereby authorized to purchase from the Imperial Iron Corporation Limited, all and singular that certain parcel or tract of land and premises situate lying and being in the City of St. Catharines, in the County of Lincoln, containing by admeasurement three acres, be the same more or less, being a part of Lot 13 in the Sixth Concession of the Township of Grantham, now in the said City, and which said tract or parcel may be more particularly described as follows: Commencing at the intersection of the division line between Lots Nos. 13 and 14 with the northerly limit of the strip of land which is commonly known as Yale Crescent; thence north in the dividing line between Lots Nos. 13 and 14—160 feet; thence east 428 feet; thence south 468 feet to a point in the northerly limit of the strip of land known as Yale Crescent; thence northwesterly in the northerly limit of the strip of land known as Yale Crescent 550 feet more or less to the place of commencement, for the sum of \$3,454.23.

2. That the Mayor and Treasurer be and each of them is hereby authorized to issue a corporation cheque to the Imperial Iron Corporation Limited in payment therefor.

3. That the Mayor and Clerk be and each of them is hereby authorized to sign, seal with the corporation seal and deliver any documents necessary therefor.

Passed this 10th day of July, 1933.

(Sgd.) HERBERT H. SMITH,
Clerk.

(Sgd.) F. H. AVERY,
Mayor.

CITY OF ST. CATHARINES

BY-LAW No. 4178

A By-law to provide for the number of members of the Water Works Commission of the City of St. Catharines.

Whereas the Water Works Commission of the City of St. Catharines was established by an Act of the Legislative Council and Assembly of Canada, being 20 Vic. Chap. 91 and several Acts of the Legislative Assembly of the Province of Ontario, namely, 39 Vic. Chap. 47, 41 Vic. Chap. 39, 42 Vic. Chap. 79, 52 Vic. Chap. 70, 59 Vic. Chap. 91.

And whereas it was provided *inter alia* by the said several Acts that there shall be two Water Commissioners for each Ward in the City of St. Catharines who shall hold office for the term of two years and shall be elected at the same time and by the same persons and in the same manner as members of the Municipal Council.

And whereas it was provided by *The Public Utilities Act*, being R.S.O. 1914, Chap. 204, now R.S.O. 1927, Chap. 249, part 3, Sec. 34, that "A commission established under *The Municipal Water Works Act*, or *The Municipal Light and Heat Act*, or under a special Act for the construction or the control and management of the works and the manufacture, protection or supply of any public utility shall be deemed to be a commission established under this Part and the provisions of this Part shall apply to it."

And whereas by the said *Public Utilities Act* water is a public utility and by the said Part it is provided that, "A commission established under this part shall be a body corporate and shall consist of three or five members as may be provided by the by-law, of whom the head of the council shall *ex-officio* be one and the others shall be elected at the same time and place and in the same manner as the head of the council"

And whereas it is deemed expedient by the Council of the Corporation of the City of St. Catharines that the Water Works Commission of the City of St. Catharines should consist of five members of whom the head of the Council shall be one in accordance with the said *Public Utilities Act*.

And whereas in order to clarify the existing situation, it is deemed expedient to pass this By-law providing for the number of members of the Water Works Commission.

Now therefore the Council of the Corporation of the City of St. Catharines enacts as follows:

1. The Water Works Commission of the City of St. Catharines shall consist of five members of whom the head of the Council shall *ex-officio* be one and the others shall be elected at the same time and place and in the same manner as the head of the Council.

2. Subject as hereinafter provided, the elected members shall hold office for two years and until their successors are elected and the new commission is organized.

3. The members shall be elected at the annual Municipal elections for the City of St. Catharines and one-half of the members elected at the annual Municipal elections for the City of St. Catharines on the 1st day of January, 1934, shall hold office for two years and the other one-half for one year and shall continue in office until their successors are elected and the new commission is organized.

4. At the first meeting of the commission after the election on the 1st day of January, 1934, the members who are to hold office for two years shall be chosen by lot.

5. All the acts, matters and things done by the Water Works Commission of the City of St. Catharines, and the members thereof, in connection with the administration of the affairs of the Water Works Commission of the City of St. Catharines are hereby ratified, approved and confirmed.

Passed this 30th day of October, 1933.

(Sgd.) HERBERT H. SMITH,
Clerk.

(Sgd.) F. H. AVERY,
Mayor.

CITY OF ST. CATHARINES

BY-LAW NO. 4189

A By-law to grant a fixed assessment to Grout's Limited and to authorize an agreement for that purpose.

Whereas the Council of the Corporation of the City of St. Catharines deems it advisable and in the interest of the Corporation to aid Grout's Limited by fixing its assessment for the years 1934 to 1943, both inclusive, upon the terms and conditions set forth in a certain proposed agreement between the Corporation and the said Company.

And whereas the amount of the whole rateable property of the Corporation of the City of St. Catharines, according to the last revised assessment roll, is \$24,888,155.00.

And whereas the amount of the existing debenture debt of the Corporation, exclusive of the local improvement debt secured by special rates of

assessment, and exclusive of other indebtedness which by the provisions of certain Statutes of Ontario is not to be included in ascertaining whether the limit of the borrowing power of the Corporation has been reached, amounts to the sum of \$2,020,979.39, and no part of principal or interest is in arrear.

Now therefore the Council of the Corporation of the City of St. Catharines enacts as follows:

1. That the Corporation of the City of St. Catharines be and it is hereby authorized to enter into a certain proposed agreement with Grout's Limited, a copy of which agreement is hereto annexed and is hereby declared to be and form part of this by-law.

2. That the Mayor and Clerk are and each of them is hereby authorized and empowered to sign and deliver the said agreement on behalf of the said Corporation, and the said Clerk is hereby authorized and empowered to affix the corporate seal to the said agreement.

3. Upon the execution and delivery of the said agreement by the Corporation and Grout's Limited, but subject to the terms and conditions thereof, the assessment in respect of the lands and premises owned or occupied by Grout's Limited, as described in the said agreement shall be fixed, for all purposes including business assessment, save and except for taxation for school purposes, sewer rental, power, lighting and water rates and local improvement rates, at the sum of \$20,000.00 for each of the years 1934 to 1943, both inclusive, in accordance with the terms and conditions of the said agreement and save as aforesaid Grout's Limited and the said lands and premises and the buildings, plant, machinery, fixtures and other assessable property used or to be used thereon in connection with the business of the said Company shall be exempt from taxation by the Corporation for the years 1934 to 1943, both inclusive.

Passed this 22nd day of January, 1934.

(Signed) F. H. AVERY,
Mayor.

(Signed) HERBERT H. SMITH,
Clerk.

This Agreement made in duplicate this 4th day of December, 1933.

BETWEEN:

THE CORPORATION OF THE CITY OF ST. CATHARINES

Hereinafter called the "Corporation"

of the First Part:

—and—

GROUT'S LIMITED,

Hereinafter called the "Company"

of the Second Part.

Whereas the Company has applied to the Corporation for a fixed assessment in respect of the lands and premises hereinafter described for all purposes including business assessment (but save and except and excluding taxation for school purposes, local improvement rates, sewer rentals, power, lighting and water rates) and it is expedient to grant the same upon the terms and conditions hereinafter set forth.

Now therefore this Agreement witnesseth that in consideration of the premises and of the covenants herein expressed the parties hereto covenant and agree each with the other as follows, that is to say:

1. The Company, during the whole period of the term of the fixed assessment herein granted, namely, from the first day of January, 1934, to the 31st day of December, 1943, will continuously carry on its business of manufacturing silk and other textiles, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature

of the Company's business or as may be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company.

2. The Corporation, subject to the limitations in this agreement hereinafter expressed, agrees that the assessment of all the lands and premises described in paragraph seven, together with all buildings, plant, machinery and fixtures which may hereafter be erected hereon, and all other assessable property used thereon in connection with the business of the Company shall be fixed for all purposes including business assessment (but save and except and excluding taxation for school purposes, local improvement rates, sewer rentals, power, lighting and water rates) at the sum of \$20,000.00 for each of the years 1934 to 1943, both inclusive, and that save and subject as aforesaid the said lands and premises, buildings, plant, machinery, fixtures and all other assessable property used or to be used thereon in connection with the said business shall be exempt for the years 1934 to 1943, both inclusive, from further taxation by the Corporation; provided that notwithstanding the said fixed assessment and partial exemption from taxation granted to the Company by this agreement, the said lands and premises shall be annually assessed during the said period of ten years in the same manner as if this agreement had not been made and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term but the said taxes including business taxes (save and except and excluding taxation for school purposes, local improvement rates, sewer rentals, power, lighting and water rates) shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisos and conditions of this agreement or any of them, and in the event of such default the whole of the taxes for the year in which such default occurs shall immediately become due and payable and may be collected by the Corporation as if this agreement had not been made but the Company shall not be subject to any other penalty in respect of such default.

3. The Company, at all times during the said period, will give preference to residents of the City of St. Catharines when engaging employees for its plant and will use its best endeavours to induce non-resident employees to become residents of the said City.

4. If at any time hereafter the Corporation desires to pass a by-law granting a bonus or fixed assessment in respect of a branch of the industry the same as or of a nature similar to the one to be carried on by the Company, the Company as evidenced by its execution of these presents hereby consents to the granting of such bonus or fixed assessment and no further or other consent requisite under the *Bonus Limitations Act*, the *Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the Company agrees to execute such consent if required by the Corporation.

5. The Company, at all times during the said period, will insure and keep insured its factory and buildings, plant, machinery and equipment to an amount approved in writing by the Corporation and if at any time during the said period the said factory and buildings, plant, machinery and equipment shall be wholly or partially destroyed by fire or other agency then and in such event and as often as the same may happen the Company, if it desires and is to continue to receive the benefits of this agreement, shall proceed at once to rebuild and restore or repair the said factory and buildings, plant, machinery and equipment so as to make the same available at the earliest reasonable time for the purposes of its business on its said property and in the event of default of the Company to so rebuild, repair and restore the Company shall cease to be entitled to the exemption herein provided but shall not be subject to any other penalty in respect thereof.

6. If the Company ceases to carry on its business upon the said lands and premises for any cause or to any extent prior to the said 31st day of December, 1943, the Company shall not be entitled to any fixed assessment or partial exemption from taxation under this agreement and the benefits to the Company hereunder shall cease and be determined.

7. The lands and premises of the Company affected by and receiving the benefit of this agreement are described as follows: All and singular that certain parcel or tract of land and premises situate, lying and being in the City of St. Catharines and Province of Ontario, containing by admeasurement four acres more or less, being a part of the land as shown on the plan of the Berryman Plot, in said City, and which said parcel or tract may be more particularly described as follows: Commencing at the point of intersection of the westerly boundary of Berryman Avenue with the southerly boundary of Welland Avenue; thence south fifty-nine minutes west in the westerly boundary of Berryman Avenue, 525 feet; thence north 89 degrees and one minute west, 395 feet to an iron pin; thence north 59 minutes east parallel to Berryman Avenue 357 and 16/100 feet to an iron pin in the southerly boundary of Welland Avenue; thence north 67 degrees and 58 minutes east in said last mentioned boundary, 429 and 18/100 feet more or less to the point of commencement.

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of St. Catharines and Province of Ontario, containing by admeasurement three and 81/100 acres more or less being a part of lots one and two of the Berryman Plot registered as Plan No. 69 for the said City and also part of Lot 14 in the sixth concession in the Township of Grantham, now in the said City and which said parcel or tract may be more particularly described as follows: Commencing at a point in the westerly boundary of Berryman Avenue distant therein southerly 976 and 7/10 feet from the southerly boundary of Welland Avenue; thence north one degree and three minutes east in said westerly boundary of Berryman Avenue 451 and 7/10 feet to a stake; thence north 88 degrees and 57 minutes west 395 feet to a stake; thence south 0 degrees and 18 minutes west 150 feet to a point distant 12 feet from the centre line of a spur of The Canadian National Electric Railways; thence southerly and easterly and always at a distance of twelve feet from the centre line of said spur 372 and 9/10 feet more or less to a stake; thence south 88 degrees and 57 minutes east 218 and 5/10 feet to the place of beginning.

8. In the event of the Company letting or assigning any portion of its said lands and premises or permitting any person, firm or corporation to occupy any portion of the said lands and premises then upon occupation thereof by any person, firm or corporation other than the Company such portion shall be excluded during the term of its occupation by such person, firm or corporation from the benefits of this agreement and such portion while so occupied and such person, firm or corporation while so occupying shall be subject to all the incidents of assessment pursuant to the provisions of *The Assessment Act* and such letting, assignment or occupation shall not operate to reduce or in any way affect the amount of the fixed assessment and partial exemption enjoyed by the Company hereunder.

9. The Company during the said period, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business but not exceeding altogether more than thirty days in any one year, and except for such periods of shutting down as shall be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company, will employ continuously in its business in the City of St. Catharines an average of at least 175 employees, exclusive of office staff, travellers and salaried officers of the Company, and will pay in wages to such employees in each year during the said period the sum of not less than \$175,000.00, subject, however, to a proportionate reduction for any period in which the said business is not operating by reason of cessation, strikes or other circumstances beyond the reasonable control of the Company as aforesaid.

10. The Company agrees that the auditors of the Corporation or any person or persons appointed by resolution of the Council for that purpose shall at any time during the months of January and February in each year have free and full access to the books of accounts, statements, and by-laws of the Company for the purpose of ascertaining the number of employees continuously employed and the amount paid out in wages by the Company during the year ending on the then preceding 31st day of December.

11. The Company agrees to pay all expenses which may be incurred by the Corporation in connection with the granting of the fixed assessment and of the submission of the by-law and agreement to the qualified electors and of any legislative ratification that may be required or obtained.

12. This agreement shall enure to the benefit of and be binding upon the successors and assigns of the parties hereto but any assignment of this agreement by the Company shall not be of any force or effect or of any benefit to its assignee until the same is consented to by by-law of the Corporation.

13. This agreement shall come into force and take effect only from and after the final passing of a by-law of the Corporation authorizing its execution, sealing and delivery but if the said by-law shall not be finally passed this agreement shall be void and of no binding effect upon the parties hereto.

Witness the corporate seal of the Company and the seal of the Corporation each under the hands of its own proper officers.

SIGNED, SEALED AND DELIVERED

In the presence of

CITY OF ST. CATHARINES

BY-LAW No. 4190

A By-law to grant a fixed assessment to Imperial Iron Corporation Limited and to authorize an agreement for that purpose.

Whereas the Council of the Corporation of the City of St. Catharines deems it advisable and in the interest of the Corporation to aid Imperial Iron Corporation Limited by fixing its assessment for the years 1934 to 1943, both inclusive, upon the terms and conditions set forth in a certain proposed agreement between the Corporation and the said Company.

And whereas the amount of the whole rateable property of the Corporation of the City of St. Catharines, according to the last revised assessment roll, is \$24,888,155.00.

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debt secured by special rates on assessment, and exclusive of other indebtedness which by the provisions of certain Statutes of Ontario is not to be included in ascertaining whether the limit of the borrowing power of the Corporation has been reached, amounts to the sum of \$2,020,979.39, and no part of the principal or interest is in arrears.

Now therefore the Council of the Corporation of the City of St. Catharines enacts as follows:

1. That the Corporation of the City of St. Catharines be and it is hereby authorized to enter into a certain proposed agreement with Imperial Iron Corporation Limited, a copy of which agreement is hereto annexed and is hereby declared to be and form part of this By-law.

2. That the Mayor and Clerk are and each of them is hereby authorized and empowered to sign and deliver the said agreement on behalf of the said Corporation and the said Clerk is hereby authorized and empowered to affix the corporate seal to the said agreement.

3. Upon the execution and delivery of the said agreement by the Corporation and Imperial Iron Corporation Limited, but subject to the terms and conditions thereof, the assessment in respect of the lands and premises owned or occupied by Imperial Iron Corporation Limited, as described in the said agreement shall be fixed, for all purposes including business assessment save and except for taxation for school purposes, sewer rental, power, lighting and water rates and local improvement rates at the sum of \$20,000 for each of the years 1934 to 1943, both inclusive, in accordance with the terms and conditions of the said agreement and save as aforesaid Imperial Iron Corporation Limited and the said lands and premises and the buildings, plant, machinery, fixtures and other assessable property used or to be used thereon in connection with the business of the said Company shall be exempt from taxation by the Corporation for the years 1934 to 1943, both inclusive.

Passed this 22nd day of January, 1934.

(Signed) F. H. AVERY,
Mayor.

(Signed) HERBERT H. SMITH,
Clerk.

This Agreement made in duplicate this 4th day of December, 1933,

BETWEEN:

THE CORPORATION OF THE CITY OF ST. CATHARINES,

Hereinafter called the "Corporation"

of the First Part:

—and—

IMPERIAL IRON CORPORATION LIMITED

Hereinafter called the "Company"

of the Second Part.

Whereas the Company has applied to the Corporation for a fixed assessment in respect of the lands and premises hereinafter described for all purposes including business assessment (but save and except and excluding taxation for school purposes, local improvement rates, sewer rentals, power, lighting and water rates) and it is expedient to grant the same upon the terms and conditions hereinafter set forth.

Now therefore this Agreement witnesseth that in consideration of the premises and of the covenants herein expressed, the parties hereto covenant and agree each with the other as follows, that is to say:

1. The Company, during the whole period of the term of the fixed assessment herein granted namely, from the first day of January, 1934, to the 31st day of December, 1943, will continuously carry on its business of manufacturing steel and iron products, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business or as may be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company.

2. The Corporation, subject to the limitations in this agreement hereinafter expressed, agrees that the assessment of all the lands and premises described in paragraph seven, together with all buildings, plant, machinery and fixtures which may hereafter be erected thereon, and all other assessable property used thereon in connection with the business of the Company shall be fixed for all purposes including business assessment (but save and except and excluding taxation for school purposes, local improvement rates, sewer rentals, power, lighting and water rates) at the sum of \$20,000.00 for each of the years 1934 to 1943, both inclusive, and that save and subject as aforesaid the said lands and premises, buildings, plant, machinery, fixtures and all other assessable property used or to be used thereon in connection with the said business shall be exempt for the years 1934 to 1943, both inclusive, from further taxation by the Corpora-

tion; provided that notwithstanding the said fixed assessment and partial exemption from taxation granted to the Company by this agreement, the said lands and premises shall be annually assessed during the said period of ten years in the same manner as if this agreement had not been made and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term but the said taxes including business taxes (save and except and excluding taxation for school purposes, local improvement rates, sewer rentals, power, lighting and water rates) shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisos and conditions of this agreement or any of them, and in the event of such default the whole of the taxes for the year in which such default occurs shall immediately become due and payable and may be collected by the Corporation as if this agreement had not been made but the Company shall not be subject to any other penalty in respect of such default.

3. The Company, at all times during the said period, will give preference to residents of the City of St. Catharines when engaging employees for its plant and will use its best endeavours to induce non-resident employees to become residents of the said City.

4. If at any time hereafter the Corporation desires to pass a by-law granting a bonus or fixed assessment in respect of a branch of the industry the same as or of a nature similar to the one to be carried on by the Company, the Company as evidenced by its execution of these presents hereby consents to the granting of such bonus or fixed assessment and no further or other consent requisite under *The Bonus Limitations Act, The Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the Company agrees to execute such consent if required by the Corporation.

5. The Company, at all times during the said period, will insure and keep insured its factory and buildings, plant, machinery and equipment to an amount approved in writing by the Corporation and if at any time during the said period the said factory and buildings, plant, machinery and equipment shall be wholly or partially destroyed by fire or other agency then and in such event and as often as the same may happen the Company, if it desires and is to continue to receive the benefits of this agreement, shall proceed at once to rebuild and restore or repair the said factory and buildings, plant, machinery and equipment so as to make the same available at the earliest reasonable time for the purposes of its business on its said property and in the event of default of the Company to so rebuild, repair and restore the Company shall cease to be entitled to the exemption herein provided but shall not be subject to any other penalty in respect thereof.

6. If the Company ceases to carry on its business upon the said lands and premises for any cause or to any extent prior to the said 31st day of December, 1943, the Company shall not be entitled to any fixed assessment or partial exemption from taxation under this agreement and the benefits to the Company hereunder shall cease and be determined.

7. The lands and premises of the Company affected by and receiving the benefit of this agreement are described as follows:

Parcel "A"—All and singular that certain parcel or tract of land and premises situate lying and being in the City of St. Catharines, in the County of Lincoln, containing by admeasurement eight acres, be the same more or less, being a part of lot 13 in the Sixth Concession of the Township of Grantham, now in the said City, and which said tract or parcel may be more particularly described as follows: Commencing at the intersection of the fence marking the limit between lots 13 and 14 with the northerly fence of the limits of the Welland Division of the Grand Trunk Railway; thence north in the lot line between lots 13 and 14, 507.5 lineal feet, more or less, to a stone monument marking the southerly limit of the Government lands; thence north 65 degrees 58 minutes east in the southerly limit of the Government lands, 480.0 lineal feet; thence

southerly and parallel to the westerly limit of lot 13 to the lands of the Grand Trunk Railway; thence westerly along the fence marking the northerly limit of said railway lands to the place of beginning, save and excepting therefrom a strip of land 66 feet in width parallel to the northerly limit of the said lands of the Grand Trunk Railway.

Parcel "B"—All and singular that certain parcel or tract of lands and premises situate, lying and being in the City of St. Catharines, in the County of Lincoln, containing by admeasurement 13.5 acres, be the same more or less, being a part of lot 13 in the Sixth Concession of the Township of Grantham, now in the said City and which said tract or parcel may be more particularly described as follows: Commencing at the stone monument marking the intersection of the line between lots 13 and 14 with the southerly limit of Government lands; thence south in the said line between lots 1,205.2 lineal feet, more or less, to a monument; thence north 65 degrees 58 minutes east, 1,064.7 lineal feet, more or less, to a monument marking the southerly limit of Government lands; thence northwesterly in a direct line 1,241 lineal feet, more or less, to the place of beginning.

Parcel "C"—All and singular that certain parcel or tract of land and premises situate, lying and being in the City of St. Catharines, in the County of Lincoln, containing by admeasurement 13.35 acres, be the same more or less, being a part of lot 14 and in the Sixth Concession of the said Township, and being that tract of land known as Lots 3 and 4 on the Berryman Plan, and registered in the Registry Office for the Registry Division of the County of Lincoln as Plan Number 69, and which said tract or parcel may be more particularly described as follows: Commencing at the intersection of the lot line between lots 13 and 14 with the northerly limit of the said lands of the Welland Division of the Grand Trunk Railway; thence north in the said lot line 1,712.7 lineal feet, more or less, to a stone monument marking the southerly limit of the Welland Canal lands; thence northwesterly in the southerly limit of Welland Canal lands 419.5 lineal feet, more or less, to a stone monument marking the southerly limit of Welland Avenue; thence south parallel to the easterly limit of Lot 14, 1,832 lineal feet, more or less, to the fence marking the northerly boundary of the Grand Trunk lands; thence easterly along the northerly limit of railway lands 362 lineal feet, more or less, to the place of beginning, save and excepting a strip of land 66 feet in width lying between the southerly limit of Parcels "A" and "C" and the northerly limit of lands of the Grand Trunk Railway.

8. In the event of the Company letting or assigning any portion of its said lands and premises or permitting any person, firm or corporation to occupy any portion of the said lands and premises then upon occupation thereof by any person, firm or corporation other than the Company such portion shall be excluded during the term of its occupation by such person, firm or corporation from the benefits of this agreement and such portion while so occupied and such person, firm or corporation while so occupying shall be subject to all the incidents of assessment pursuant to the provisions of *The Assessment Act* and such letting, assignment or occupation shall not operate to reduce or in any way affect the amount of the fixed assessment and partial exemption enjoyed by the Company hereunder.

9. The Company during the said period, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business but not exceeding altogether more than thirty days in any one year, and except for such periods of shutting down as shall be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company, will employ continuously in its business in the City of St. Catharines an average of at least fifty employees, exclusive of office staff, travellers and salaried officers of the Company, and will pay in wages to such employees in each year during the said period the sum of not less than \$50,000.00, subject, however, to a proportionate reduction for any period in which the said business is not operating by reason of cessation, strikes or other circumstances beyond the reasonable control of the Company as aforesaid.

10. The Company agrees that the auditors of the Corporation or any person or persons appointed by resolution of the Council for that purpose

shall at any time during the months of January and February in each year have free and full access to the books of accounts, statements, and by-laws of the Company for the purpose of ascertaining the number of employees continuously employed and the amount paid out in wages by the Company during the year ending on the then preceding 31st day of December.

11. The Company agrees to pay all expenses which may be incurred by the Corporation in connection with the granting of the fixed assessment and of the submission of the by-law and agreement to the qualified electors and of any legislative ratification that may be required or obtained.

12. This agreement shall enure to the benefit of and be binding upon the successors and assigns of the parties hereto but any assignment of this agreement by the Company shall not be of any force or effect or of any benefit to its assignee until the same is consented to by by-law of the Corporation.

13. This agreement shall come into force and take effect only from and after the final passing of a by-law of the Corporation authorizing its execution, sealing and delivery but if the said by-law shall not be finally passed this agreement shall be void and of no binding effect upon the parties hereto.

Witness the corporate seal of the Company and the seal of the Corporation each under the hands of its own proper officers.

SIGNED, SEALED AND DELIVERED

In the presence of

BILL

An Act respecting the City of
St. Catharines.

1st Reading

2nd Reading

3rd Reading

MR. GRAVES

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of St. Catharines.

MR. GRAVES

No. 28

1934

BILL

An Act respecting the City of St. Catharines.

Preamble.

WHEREAS the corporation of the city of St. Catharines has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Catharines Act, 1934.*

By-law
No. 4163
to acquire
lands from
Imperial
Iron
Corporation
confirmed.

2. By-law number 4163 of the corporation of the city of St. Catharines, passed on the 10th day of June, 1933, being a by-law to authorize the purchase of a parcel of land from the Imperial Iron Corporation Limited is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and the said corporation is hereby authorized to carry out its obligations thereunder.

By-law
No. 4178,
relating to
Waterworks
Commission
confirmed.

Rev. Stat.,
c. 249.

3. By-law number 4178 of the said corporation passed on the 30th day of October, 1933, providing that the waterworks commission of the city of St. Catharines should consist of five members, of whom the head of the council shall be one, in accordance with the provisions of *The Public Utilities Act*, and providing for the election thereof, and ratifying, approving and confirming all the acts, matters and things done by the waterworks commission of the city of St. Catharines, is hereby confirmed and declared to be legal and valid, notwithstanding the provisions of any special Act constituting the waterworks commission of the city of St. Catharines and in so far as may be necessary any such special Act shall be deemed to be amended in accordance with the provisions of this section and of the said by-law.

By-law
No. 4189
and agree-
ment with
Grout's
Limited for
fixed
assessment
confirmed.

4. By-law number 4189 of the said corporation passed on the 22nd day of January, 1934, and the agreement dated the 4th day of December, 1933, made between the said corporation

and Grout's Limited, both relating to the granting of a fixed assessment to the said company, are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and the said company and its successors and assigns.

5. By-law number 4190 of the said corporation passed on the 22nd day of January, 1934, and the agreement dated the 4th day of December, 1933, made between the said corporation and Imperial Iron Corporation Limited, both relating to the granting of a fixed assessment to the said company, are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and the said company and its successors and assigns.

By-law No. 4190 and agreement with Imperial Iron Corporation for fixed assessment confirmed

6.—(1) The housing commission of the city of St. Catharines may, with the consent of the council of the said corporation, from time to time, acquire by purchase or otherwise and sell or resell by public or private tender or by public auction or private sale any of the houses erected by the said commission at such prices and upon such conditions and terms of payment as may be approved by the said council.

Powers of Housing Commission to sell properties.

(2) The said commission, pending the sale or resale of any property may rent the same to any person, firm or corporation from time to time upon such terms and at such rentals and upon such conditions as may be approved by the said council.

Power to rent properties.

7.—(1) All sales of land within the city of St. Catharines made prior to the 31st day of January, 1933, and purporting to have been made by the corporation of the city of St. Catharines or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Confirmation of tax sales and conveyances.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded

Pending litigation not affected.

with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-
ment of Act.

8. This Act, other than section 7, shall come into force on the day upon which it receives the Royal Assent. Section 7 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the City of
St. Catharines.

1st Reading

February 13th, 1934

2nd Reading

February 21st, 1934

3rd Reading

March 29th, 1934

MR. GRAVES

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of London.

MR. MOORE

(PRIVATE BILL)

BILL

An Act respecting the City of London.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1934*.

Authority to issue debentures for \$25,000 for university purposes.

2. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$25,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five and one-half per centum per annum as the council of the said corporation may determine, to provide moneys to pay a grant to the University of Western Ontario to assist in the erection of a library building for the said university, without submitting the by-law to the electors of the said city for their assent.

Proceedings as to Richmond Street bridge validated.

3. By-law No. 10c—9818-11 of the said Corporation providing for the erection of the Richmond Street bridge, and the proceedings taken thereunder, are hereby declared to be legal, valid and binding, and the said corporation may charge the lands of the petitioners for the said bridge with the owners' portion of the cost of the same.

Creation of endowment funds for hospital purposes.

4. The said corporation may by by-law create a fund to be known as the Victoria Hospital Endowment Fund and may also by by-law create a fund to be known as the War Memorial Children's Hospital Endowment Fund, and the said endowment funds shall be under the control of the council of the said corporation and the treasurer for the time being of the said corporation.

Investment of capital of endowment funds.

5. The capital of all moneys received, by bequests, gifts, or otherwise, by the said corporation and the Board of Hospital

Trustees of the city of London or either of them for the said endowment funds, or either of them, shall not be used for any purpose, but the same shall be invested from time to time in investments in which trustees are authorized to invest, or in city of London debentures.

Application
of income
from endow-
ment funds
of Victoria
Hospital.

6. The income from the Victoria Hospital Endowment Fund shall be used by the said corporation, or paid to the said board of hospital trustees, for defraying the operating expenses or other expenditure in connection with Victoria Hospital as the said board may, from time to time, determine, and any portion of the annual income not so used shall be added to the capital of the said endowment fund and the said board, from time to time, shall determine as to the expenditure of the income aforesaid, or as to the adding of the same, or any portion thereof, to the capital of the said fund.

Application
of income
from endow-
ment funds
of Children's
Hospital.

7. The income from the War Memorial Children's Hospital Endowment Fund shall be used by the said corporation, or paid to the said board of hospital trustees, for defraying the annual operating costs of the said War Memorial Children's Hospital (the erection of which as a War Memorial was the result of the efforts of the Women's Committee), or any other expenditure solely in connection with, or for the benefit of, the said hospital, and in the event of any portion of the said annual income not being used for any of the purposes aforesaid, the same shall be added to the capital of the said endowment fund.

Grant to
Hospital
Board to
defray
campaign
expenses.

8. The said corporation may pay, as part of the current ordinary expenditure of the said corporation, to the said board of hospital trustees, the sum of \$13,500 to defray the expense of the new London General Hospital Building Fund Campaign Committee.

Confirma-
tion of tax
sales and
conveyances.

9.—(1) All sales of land within the city of London made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of London or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said land so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except

taxes accruing after those for non-payment of which the land was sold.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Assent of
electors not
requisite.

Rev. Stat.,
c. 233.

10. It shall not be necessary for the said corporation to observe, in respect of the by-law mentioned in section 2 of this Act, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularity
in form
not to
invalidate.

11. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or the interest thereon.

Commence-
ment of Act.

12. This Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the City of London.

1st Reading

2nd Reading

3rd Reading

MR. MOORE

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of London.

MR. MOORE

No. 29

1934

BILL

An Act respecting the City of London.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1934*.

Authority to issue debentures for \$25,000 for university purposes.

2. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$25,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five and one-half per centum per annum as the council of the said corporation may determine, to provide moneys to pay a grant to the University of Western Ontario to assist in the erection of a library building for the said university, without submitting the by-law to the electors of the said city for their assent.

Proceedings as to Richmond Street bridge validated.

3. By-law No. 10c—9818-11 of the said Corporation providing for the erection of the Richmond Street bridge, and the proceedings taken thereunder, are hereby declared to be legal, valid and binding, and the said corporation may charge the lands of the petitioners for the said bridge with the owners' portion of the cost of the same.

Creation of endowment funds for hospital purposes.

4. The said corporation may by by-law create a fund to be known as the Victoria Hospital Endowment Fund and may also by by-law create a fund to be known as the War Memorial Children's Hospital Endowment Fund, and the said endowment funds shall be under the control of the council of the said corporation and the treasurer for the time being of the said corporation.

Investment of capital of endowment funds.

5. The capital of all moneys received, by bequests, gifts, or otherwise, by the said corporation and the Board of Hospital

Trustees of the city of London or either of them for the said endowment funds, or either of them, shall not be used for any purpose, but the same shall be invested from time to time in investments in which trustees are authorized to invest, or in city of London debentures.

6. The income from the Victoria Hospital Endowment Fund shall be used by the said corporation, or paid to the said board of hospital trustees, for defraying the operating expenses or other expenditure in connection with Victoria Hospital as the said board may, from time to time, determine, and any portion of the annual income not so used shall be added to the capital of the said endowment fund and the said board, from time to time, shall determine as to the expenditure of the income aforesaid, or as to the adding of the same, or any portion thereof, to the capital of the said fund.

Application of income from endowment funds of Victoria Hospital.

7. The income from the War Memorial Children's Hospital Endowment Fund shall be used by the said corporation, or paid to the said board of hospital trustees, for defraying the annual operating costs of the said War Memorial Children's Hospital (the erection of which as a War Memorial was the result of the efforts of the Women's Committee), or any other expenditure solely in connection with, or for the benefit of, the said hospital, and in the event of any portion of the said annual income not being used for any of the purposes aforesaid, the same shall be added to the capital of the said endowment fund.

Application of income from endowment funds of Children's Hospital.

8. The said corporation may pay, as part of the current ordinary expenditure of the said corporation, to the said board of hospital trustees, the sum of \$13,500 to defray the expense of the new London General Hospital Building Fund Campaign Committee.

Grant to Hospital Board to defray campaign expenses.

9.—(1) All sales of land within the city of London made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of London or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said land so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except

Confirmation of tax sales and conveyances.

taxes accruing after those for non-payment of which the land was sold.

Pending
litigation
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Assent of
electors not
requisite.

Rev. Stat.,
c. 233.

10. It shall not be necessary for the said corporation to observe, in respect of the by-law mentioned in section 2 of this Act, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularity
in form
not to
invalidate.

11. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or the interest thereon.

Commence-
ment of Act.

12. This Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the City of London.

1st Reading

February 13th, 1934

2nd Reading

February 23rd, 1934

3rd Reading

March 5th, 1934

MR. MOORE

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Kingston.

MR. BLACK

(PRIVATE BILL)

No. 30

1934

BILL

An Act respecting the City of Kingston.

Preamble.

WHEREAS the corporation of the city of Kingston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Kingston Act, 1934*.

Acquisition
of factory
property
confirmed.

2.—(1) The acquisition by the said corporation from The Dominion Textile Company Limited of the lands, mills, buildings, machinery, easements, lots, rights-of-way, privileges, appendages, franchises and appurtenances and other property formerly owned or enjoyed by The Dominion Textile Company Limited described in the conveyance to the said corporation by The Dominion Textile Company Limited bearing date the 24th day of April, 1931, and the leasehold water lot described in a certain indenture bearing date the 12th day of November, 1926, between His Majesty the King and The Dominion Textile Company Limited is hereby confirmed and declared to have been since the 24th day of April, 1931, legal, valid and binding upon the said corporation and the ratepayers thereof and upon The Dominion Textile Company Limited and its successors and assigns.

By-law
No. 11 (1931)
and
debentures
confirmed.

(2) By-law number 11, 1931, of the said corporation to borrow upon debentures the sum of \$75,000 to pay for the lands, properties and rights referred to in subsection 1 and all debentures issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 14 (1931)
and
agreement
confirmed.

(3) By-law number 14, 1931, of the said corporation to confirm an agreement bearing date the 4th day of February, 1931, between the said corporation and Hield Brothers Limited, providing for the leasing and granting of options to

purchase to Hield Brothers Limited of the property in the city of Kingston known as The Dominion Textile Company property and further providing as therein set forth, and the said agreement are and each of them is hereby confirmed and declared to have been since the respective dates thereof legal, valid and binding upon the said corporation and the rate-payers thereof and upon Hield Brothers Limited its successors and assigns.

Lease to
Hield
Brothers
Limited
confirmed.

(4) The indenture bearing date the 1st day of May, 1931, between the said corporation and Hield Brothers Limited providing for a lease of the property, assets and rights therein described and an option to purchase the same and otherwise providing as therein set forth and the further agreement bearing date the 20th day of September, 1933, between the same parties with respect to insurance against fire on the buildings erected on the lands described in the said indenture are and each of them is hereby confirmed and declared to have been from the respective dates thereof legal, valid and binding upon the said corporation and the ratepayers thereof and upon Hield Brothers Limited its successors and assigns.

By-law
No. 13 (1931)
for fixed
assessment
to Hield
Brothers
Limited
confirmed.

(5) By-law number 13, 1931, of the said corporation for granting a fixed assessment to Hield Brothers Limited is hereby confirmed and declared to have been since the 25th day of March, 1931, legal, valid and binding upon the said corporation and the ratepayers thereof, provided that said fixed assessment shall not apply to or in any way affect taxation for school purposes or local improvements, notwithstanding anything contained in the said by-law or in the agreement referred to in subsection 3.

Amendment
of lease to
Hield
Brothers
Limited.

3. The indenture referred to in subsection 4 of section 2 shall be read and construed as if the same had not omitted therefrom but had also contained such provisions for the right of option to purchase by Hield Brothers Limited its successors and assigns during the further term of five years provided for in the said indenture as are contained in paragraph 3 of the agreement referred to in subsection 3 of section 2.

Power of
city
corporation
to carry out
arrange-
ments with
Hield
Brothers
Limited.

4. The said corporation is and is declared to have been authorized and empowered to execute all documents and do all things to carry out fully the provisions of this Act and of the said indenture and agreement referred to in subsections 3 and 4 of section 2.

Application
of rentals
and proceeds
of sale from
Hield
Brothers
Limited.

5. All moneys realized and received by the said corporation from the rental or sale of any or all of the said property referred to in subsection 1 of section 2 shall first be applied in or towards redemption and payment of the said debentures

and interest thereon and shall not be used or applied for any other purpose until the said debentures and interest thereon shall have been fully redeemed and paid, but Hield Brothers Limited its successors and assigns shall not be bound or concerned to see to the application of such moneys or any part thereof.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

BY-LAW No. 11, 1931

A By-LAW to raise by way of loan on the credit of the debentures of the Municipality of the City of Kingston, the sum of \$75,000.00 for the purposes herein mentioned.

Passed , 1931

Whereas it is expedient and in the interest of the Corporation of the City of Kingston to acquire the land and premises owned at said City by Dominion Textile Company, Limited, together with certain machinery situate thereon fronting upon Cataraqui Street in said City and being the land, premises and equipment used by said Company in connection with their textile work in said City and to raise the money required to meet the purchase cost of the same by the issue of debentures of the Corporation and to pass the necessary by-laws to authorize said purchase and debentures;

And whereas the amount of the debenture debt to be created is \$75,000.00;

And whereas the total amount required to be raised annually during the currency of said debt by a special rate on the rateable property liable thereto for paying the said debt and interest as hereinafter provided is \$6,269.00;

And whereas the whole rateable property of the said City of Kingston, according to the last-revised assessment roll, is the sum of \$19,208,649.00 and the amount of the existing debenture debt of the said City, exclusive of local improvements, secured by special Acts, rates or assessments, is the sum of \$2,327,836.42, of which neither principal nor interest is in arrears;

Be it therefore enacted by the Council of the Corporation of the City of Kingston as follows:

1. It shall be lawful for the Mayor of the said City to raise by way of loan from any person or persons, body or bodies corporate who may be willing to lend the same upon the credit of the corporation by the issue of the debentures hereinafter mentioned the sum of \$75,000 and to cause the same to be paid into the hands of the Treasurer of the Corporation for the purposes of this By-law.

2. It shall be lawful for the said Mayor to cause any number of debentures to be made for such sums of money as may be required, not less than \$100 each and not exceeding in the whole the said sum of \$75,000 and the said debentures shall be sealed with the seal of the said Corporation and signed by the Mayor, and countersigned by the said Treasurer thereof, and shall be used to raise the sum of \$75,000 by way of loan as aforesaid for the purpose aforesaid.

3. The said debentures shall be dated the 1st May, 1931, and shall be payable on the first day of May, 1931, at the office of the Treasurer of the said City of Kingston, at the said City.

4. The said debentures shall bear interest at the rate of five per cent. per annum which interest shall be payable half yearly on the first days of the months of May and November in each year, at the office of the said Treasurer in the said City of Kingston, and the said debentures shall have interest coupons attached to them, which shall be signed by the said Treasurer.

5. There shall be raised annually during the currency of said debentures the sum of \$3,750.00 for the payment of the interest thereon and the sum of \$2,519.00 to form a sinking fund for the payment of the said debt, and

the said sums making together the annual amount of \$6,269.00 shall be raised, levied and collected in each year during the period of twenty years by an annual special rate sufficient therefor to be levied upon the whole rateable property of the said Municipality according to the last revised assessment roll.

6. This by-law shall come in force and take effect on its passing and its approval by the ratepayers and by the Ontario Municipal Board, if necessary.

City Clerk.

Mayor.

March 25, 1931.

Moved by Ald. Reid, seconded by Ald. Peters, (5) that By-law No. 11, 1931, being a by-law to raise by way of loan the sum of \$75,000.00 to acquire the land and premises owned by the Dominion Textile Co. Ltd., having been submitted to the electors on March 2nd, 1931, with the result 1,425 votes For, 349 votes Against, be now read a third time and signed and sealed by the Mayor.—Carried.

BY-LAW No. 14, 1931

A BY-LAW to confirm an Agreement dated the 4th day of February, 1931, between the Corporation of the City of Kingston and Hield Brothers, Limited, regarding the purchase of the lands and premises and equipment thereon of Dominion Textile Company, Limited.

Passed February 5th, 1931.

Be it enacted by the Council of the Corporation of the City of Kingston as follows:

1. That the appended agreement between the Corporation of the City of Kingston and Hield Brothers, Limited, dated the 4th day of February, 1931, in regard to the purchase of certain equipment, lands and premises, and the lease or sale of the same is hereby confirmed, and the Mayor and City Clerk are hereby authorized to sign said Agreement on behalf of the said Corporation.

2. This By-law shall come in force and take effect on its passing.

(Signed) GEO. C. WRIGHT
Mayor.

W. W. SANDS,
City Clerk.

Memorandum of Agreement made in duplicate this fourth day of February, A.D. 1931.

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON,
(hereinafter called the City),
of the first part,
—and—

HIELD BROTHERS LIMITED, of Cross Hills, Yorkshire,
England, Manufacturers (hereinafter called the
"Company"),
of the second part.

Whereas the Company is engaged in the business of the manufacture of woollen and worsted textiles at Cross Hills, Yorkshire, England, and

proposes to establish a factory in Canada for the manufacture of woollen and worsted textiles in which factory it estimates that it will employ two hundred and fifty to three hundred hands by May, 1933, with a minimum pay roll of One Hundred and Fifty Thousand Dollars (\$150,000.00) in wages, apart from the office staff.

Now it is mutually covenanted and agreed by and between the parties hereto as follows:

1. The city agrees to purchase the property in the City of Kingston known as the Dominion Textile Company property, and on which is situate the cotton mill, formerly operated by the said Company, and to lease the said property to the Company for the term of five years from the first day of May, 1931, at a rental of five per cent. of the purchase price paid by the City for the said property up to \$75,000.00 the Lessee to be at liberty to sublet any part of the said premises the said Lease to contain the usual Statutory covenants, except in so far as the same are modified by this Agreement.

2. The City further agrees to grant an Option to the Company to purchase the said property, at the price paid therefor by the City, at any time during the said term of five years, and in the event of the purchase of the property by the Company, the rent to cease from the date of the purchase.

3. The City further agrees at the end of the said five-year term, provided the Company has not exercised its Option to purchase, to lease the said property to the Company for a further term of five years at the same rental and with a like Option to purchase for a further term of five years.

4. The City further agrees to grant the Company a fixed assessment (including business assessment) of \$1,000.00 upon the said land and premises, and upon its plant and machinery during a period of ten years, or for such portion of said period as the Company shall well and truly perform the stipulations, provisos, and conditions hereinafter set forth.

5. The Company agrees, subject to the passing of the aforesaid By-law, to lease the said property from the City for a term of five years at a rental of five per cent. of the purchase price paid by the City up to \$75,000.00 and to carry on the said premises the manufacture of woollen and worsted textiles.

6. The Company further agrees that in the event of its exercising the Option to have the said property for a further term after the expiration of the first term of five years: that it will meet the cost of the necessary repairs to the buildings and pay the insurance premium to keep the buildings insured for the second five-year term for the amount of insurance carried by the City during the first five-year term.

This Agreement shall enure to the benefit of and be binding upon the Company, its successors and assigns.

In witness whereof the said Parties have hereunto affixed their Corporate Seals.

Sealed and Delivered, and Countersigned respectively by the Mayor of the Corporation of the City of Kingston; and by DAVID HIELD and HUGH HIELD, Joint Managing Directors of HIELD BROTHERS LIMITED, for and on behalf of Hield Brothers Ltd.

Witness, J. M. HUGHES,
as to both signatures.

(Signed) DAVID HIELD.

HUGH HIELD.

This Indenture made (in duplicate) the first day of May, A.D. one thousand nine hundred and thirty-one.

IN PURSUANCE OF THE SHORT FORMS OF LEASES ACT

BETWEEN

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "Lessor"),

of the first part,

—and—

FIELD BROTHERS LIMITED (hereinafter called the
"Lessee"),

of the second part.

Witnesseth that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee, the Lessor doth demise and Lease unto the Lessee, its Successors and assigns, all that messuage or tenement situate, lying and being: All and singular those certain parcels or tracts of land and premises situate, lying and being in the City of Kingston, in the County of Frontenac and Province of Ontario, being composed of:

FIRST: Part of the northeast part of Farm Lot A, or the Magdalen Ferguson lot, granted to the Kingston and Pembroke Railway Company by Letters Patent on the twentieth day of July, A.D. 1882, commencing in the southern boundary of Cataragui Street and at low-water mark of the Cataragui River thence westerly along said street four hundred and twenty-two feet more or less to a post about two feet west of the northwest angle of a shed thence southerly parallel to the west side of said shed and along a fence two hundred and thirty-two feet more or less to an angle in said fence thence easterly along a fence and the back of another shed two hundred and seven feet more or less to low-water mark of Cataragui River thence northerly along said low-water mark three hundred and seventy feet more or less to the place of beginning containing one hundred and ninety-five hundredths of an acre be the same more or less. SECOND: And also the water lot in front of the said lot being all the right, title and interest, claim and demand whatsoever of the Party of the First Part of the land demised by Her Majesty Queen Victoria acting through the Honourable the Minister of Militia and Defence to the Kingston and Pembroke Railway Company by an instrument dated the twenty-ninth day of April, A.D. 1874, which lies in front of the parcel 1 aforesaid, reserving a right-of-way for railroad purposes thirty feet wide on and along the western side of the water lot in front of the said parcel 1.

Together with all and singular the mills, buildings, machinery of every kind used in said mill and connected therewith and all the easements, lots, right-of-way, privileges, appendages, franchises and appurtenances to the said lands belonging or in and appertaining including all property of every kind and nature whatsoever formerly enjoyed by the Dominion Textile Company Limited and sold by the said Company to the City of Kingston by deed dated the twenty-fourth day of April, A.D. one thousand nine hundred and thirty-one, the whole properties formerly owned and possessed by the said Dominion Textile Company Limited being intended to be leased by these presents to the said Party of the Second Part.

Provided, however that this lease shall not include the C.P.R. Railway sidings to the property, which are to be dealt with by the Lessee and the Railway Company.

To have and to hold the said demised premises for and during the term of five years to be computed from the first day of May, one thousand nine hundred and thirty-one and from thenceforth next ensuing and fully to be complete and ended.

Yielding and paying therefor yearly and every year during the said term unto the said Lessor, its successors, or assigns, the sum of Three Thousand Seven Hundred and Fifty Dollars of lawful money of Canada, to be payable on the following days and times, that is to say, \$937.50

quarterly on the first days of February, May, August and November, the first of such payments to become due and be made on the first day of August, 1931.

And the said Lessee covenants with the said Lessor to pay rent and to pay taxes (except for local improvement) the taxes payable by the Lessee to be on a fixed assessment of One Thousand Dollars, including business assessment, and to pay water rates, and to repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted, and that the said Lessor may enter and view the state of repair, and that the said Lessee will repair according to notice in writing, reasonable wear and tear, and damage by fire, lightning and tempest only excepted; and that he will leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted.

Provided that the Lessee may remove his fixtures.

Provided that in the event of fire, lightning or tempest, rent shall cease until the premises are rebuilt.

Provided that the Lessee may sublet without leave.

Provided for re-entry by the said Lessor on non-payment of rent, or non-performance of covenants.

It is hereby agreed by and between the parties hereto that the Lessee is to have the option or right to purchase the hereinbefore described property with the rights incidental and appurtenant thereto, and the leaseholds acquired by the Lessor from the Dominion Textile Company at the price of \$75,000.00 at any time during the term hereby reserved, and in the event of purchase the rent hereby reserved to cease from the date of purchase.

It is further agreed by and between the parties hereto that the Lessor at the end of the term hereby reserved, provided the Lessee has not exercised its option to purchase, shall lease the hereinbefore described lands to the Lessee for a further term of five years at the same rental for the said further term of five years the Lessee shall meet the cost of the necessary repairs to the buildings and pay the insurance premiums to keep the buildings insured for the second five-year term for the amount of insurance carried by the City during the first five-year term. In the event of the parties hereto failing to agree as to what constitutes necessary repairs as provided for in the previous paragraph the matter shall be referred to the Judge of the County Court of the County of Frontenac for the time being for determination and his decision shall be final.

It is hereby declared and agreed that these presents and everything herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their successors, and assigns, respectively.

In witness whereof the said parties have hereunto affixed their Corporate seals.

Sealed and Delivered and Countersigned respectively by the Mayor of the Corporation of the City of Kingston; and by DAVID HIELD and HUGH HIELD, Joint Managing Directors of HIELD BROTHERS, LIMITED.

(Signed)
GEO WRIGHT,
Mayor.

M. E. BALL as to Signature of Mayor and City Clerk.

W. W. SANDS,
City Clerk.

HUGH HIELD.

DAVID HIELD.

Memorandum of Agreement made (in triplicate) this 20th day of September, A.D. 1933.

BETWEEN:

CORPORATION OF THE CITY OF KINGSTON (herein-
after called "The City"),

of the first part,

—and—

HIELD BROTHERS, LIMITED (hereinafter called
"The Company"),

of the second part.

Whereas "The City" by an agreement dated the fourth day of February, A.D. 1931, agreed to lease the property known as the Dominion Textile Company property in the City of Kingston to "The Company" for a term of five years with the option to "The Company" at the end of said term of five years to lease the said property for a further term of five years provided, however, that in the event of "The Company" exercising said option for a second term of five years that "The Company" should insure the buildings on said property for the amount of insurance carried during the first five years by "The City."

And whereas under and in pursuance of said agreement "The City" has leased the said property to "The Company" for a term of five years from the first day of May, A.D. 1931, with the right to a lease for a further term of five years (if "The Company" does not exercise its option to purchase contained in said lease), "The Company" in the event of a lease for a further term of five years to meet the cost of necessary repairs to the buildings, and to keep the said buildings insured for the amount carried by "The City" during the first five-year term.;

And whereas "The City" is carrying insurance on the said buildings for \$200,000.00, and purposes to carry this amount during the balance of said term of five years on condition that "The Company" carries \$200,000.00 insurance on the said buildings for the further term of five years in the event of the "Company" exercising its option to lease the said property for a further term of five years;

Now this Agreement witnesseth that in consideration of the premises "The City" and "The Company" mutually covenant and agree with each other as follows:

"The City" covenants and agrees with "The Company" that it will carry insurance on the said buildings to the amount of \$200,000.00 during the balance of the term of the said lease from "The City" to "The Company" for the first five years from May 1st, 1931, and that in the event of the buildings or any of them on the property so leased by "The City" to "The Company" as aforesaid, being burned down, damaged or destroyed by fire prior to the first day of May, 1936, "The City" will expend such an amount as may be necessary up to but not exceeding the sum received by it for insurance, to make good the injury caused by the fire or fires.

"The Company" covenants and agrees with "The City" that in the event of a lease from "The City" to "The Company" for a further term of five years following the present lease from "The City" to "The Company" expiring the first day of May, 1936, that it will keep the said buildings during the said second term of five years insured for \$200,000.00, and that in the event of the said buildings or any of them on the property so leased by "The City" to "The Company" as aforesaid, being burned down, damaged, or destroyed by fire "The Company" will expend such an amount as may be necessary up to but not exceeding the sum received by it for insurance, to make good the injury caused by the fire or fires.

The loss under the insurance policies herein provided for to be payable to the "City of Kingston" and "Hield Brothers, Limited," as their respective interests may appear.

In witness whereof the said parties have hereunto affixed their Corporate Seals.

Sealed and Delivered and Countersigned respectively by the Mayor of the Corporation of the City of Kingston; and by HIELD BROTHERS, LIMITED, by DAVID HIELD and HUGH HIELD, Joint Managing Directors of HIELD BROTHERS LIMITED, on behalf of said Company.	"BRUCE H. HOPKINS," Mayor. C.S. "D. HIELD." C.S. "H. HIELD," C.S.
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February 5, 1931.

BY-LAW No. 13, 1931

A BY-LAW for granting a fixed assessment to Hield Brothers Limited.

Passed , 1931.

Whereas it is expedient and in the interests of the Corporation for the purposes of manufacturing in the Municipality to fix the assessment of the above-named Company, which purposes to carry on the manufacturing business referred to in the Memorandum of Agreement made between the Corporation and the said Company dated the 4th day of February, 1931.

Be it therefore enacted by the Municipal Council of the said City of Kingston, as follows:

1. For the purpose of carrying on the manufacturing operations of Hield Brothers Limited within the Corporation of the City of Kingston as set out in the Agreement between the above parties, the land and premises shall have and receive a fixed assessment of \$1,000.00 (including business assessment) upon the said land and premises, machinery and equipment used by the said Company and operated by them for manufacturing purposes as set out in said Agreement during the period of ten years from the date of the commencement of said manufacturing operations or for such a portion of said period as the said Company shall well and truly observe and perform the stipulations, provisos and provisions set out in the aforesaid Agreement.

2. The lands and premises referred to may be more particularly described as follows:

In the City of Kingston, in the County of Frontenac and Province of Ontario, being composed of Firstly,—Part of the northeast part of Farm Lot A on the Magdalen Ferguson lot, granted to the Kingston and Pembroke Railway Co. by Letters Patent on the 20th day of July, A.D. 1882. Commencing in the southerly boundary of Cataragui Street and at low-water mark of the Cataragui River, thence westerly along the said Street 422 feet more or less to a point about two feet west of the north-west angle of a shed, thence southerly parallel to the west side of said shed, and along a fence 232 feet more or less to an angle in said fence, thence easterly along the fence and the back of another shed 207 feet more or less to low-water mark of the Cataragui River, thence northerly along said low-water mark 370 feet more or less to the place of beginning, containing 1.95 acres, be the same more or less. Secondly, and also the water lot, which lies in front of parcel One aforesaid, subject to a right-of-way for railway purposes 30 feet wide on and along the western side of the water lot in front of parcel Number One.

This By-law shall come in force and take effect upon receiving the necessary affirmative vote of the members of the Council and the assent of the electors of the said City of Kingston, in compliance with Section 397 of *The Municipal Act* and amendments thereto.

City Clerk.

Mayor.

March 25th, 1931.

Moved by Ald. Reid, seconded by Ald. Reynolds, (3) that By-law No. 13, 1931, being a by-law to grant a fixed assessment to Hield Bros. Ltd., having been submitted to the electors on March 2nd, 1931, with a result of 1,492 votes For and 300 Against, be now read a third time and signed and sealed by the Mayor.—Carried.

BILL

An Act respecting the City of Kingston.

1st Reading

2nd Reading

3rd Reading

MR. BLACK

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Kingston.

MR. BLACK

No. 30

1934

BILL

An Act respecting the City of Kingston.

Preamble.

WHEREAS the corporation of the city of Kingston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Kingston Act, 1934*.

Acquisition
of factory
property
confirmed.

2.—(1) The acquisition by the said corporation from The Dominion Textile Company Limited of the lands, mills, buildings, machinery, easements, lots, rights-of-way, privileges, appendages, franchises and appurtenances and other property formerly owned or enjoyed by The Dominion Textile Company Limited described in the conveyance to the said corporation by The Dominion Textile Company Limited bearing date the 24th day of April, 1931, and the leasehold water lot described in a certain indenture bearing date the 12th day of November, 1926, between His Majesty the King and The Dominion Textile Company Limited is hereby confirmed and declared to have been since the 24th day of April, 1931, legal, valid and binding upon the said corporation and the ratepayers thereof and upon The Dominion Textile Company Limited and its successors and assigns.

By-law
No. 11 (1931)
and
debentures
confirmed.

(2) By-law number 11, 1931, of the said corporation to borrow upon debentures the sum of \$75,000 to pay for the lands, properties and rights referred to in subsection 1 and all debentures issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law
No. 14 (1931)
and
agreement
confirmed.

(3) By-law number 14, 1931, of the said corporation to confirm an agreement bearing date the 4th day of February, 1931, between the said corporation and Hield Brothers Limited, providing for the leasing and granting of options to

purchase to Hield Brothers Limited of the property in the city of Kingston known as The Dominion Textile Company property and further providing as therein set forth, and the said agreement are and each of them is hereby confirmed and declared to have been since the respective dates thereof legal, valid and binding upon the said corporation and the rate-payers thereof and upon Hield Brothers Limited its successors and assigns.

(4) The indenture bearing date the 1st day of May, 1931, between the said corporation and Hield Brothers Limited providing for a lease of the property, assets and rights therein described and an option to purchase the same and otherwise providing as therein set forth and the further agreement bearing date the 20th day of September, 1933, between the same parties with respect to insurance against fire on the buildings erected on the lands described in the said indenture are and each of them is hereby confirmed and declared to have been from the respective dates thereof legal, valid and binding upon the said corporation and the ratepayers thereof and upon Hield Brothers Limited its successors and assigns.

Lease to
Hield
Brothers
Limited
confirmed.

(5) By-law number 13, 1931, of the said corporation for granting a fixed assessment to Hield Brothers Limited is hereby confirmed and declared to have been since the 25th day of March, 1931, legal, valid and binding upon the said corporation and the ratepayers thereof, provided that said fixed assessment shall not apply to or in any way affect taxation for school purposes or local improvements, notwithstanding anything contained in the said by-law or in the agreement referred to in subsection 3.

By-law
No. 13 (1931)
for fixed
assessment
to Hield
Brothers
Limited
confirmed.

3. The indenture referred to in subsection 4 of section 2 shall be read and construed as if the same had not omitted therefrom but had also contained such provisions for the right of option to purchase by Hield Brothers Limited its successors and assigns during the further term of five years provided for in the said indenture as are contained in paragraph 3 of the agreement referred to in subsection 3 of section 2.

Amendment
of lease to
Hield
Brothers
Limited.

4. The said corporation is and is declared to have been authorized and empowered to execute all documents and do all things to carry out fully the provisions of this Act and of the said indenture and agreement referred to in subsections 3 and 4 of section 2.

Power of
city
corporation
to carry out
arrange-
ments with
Hield
Brothers
Limited.

5. All moneys realized and received by the said corporation from the rental or sale of any or all of the said property referred to in subsection 1 of section 2 shall first be applied in or towards redemption and payment of the said debentures

Application
of rentals
and proceeds
of sale from
Hield
Brothers
Limited.

and interest thereon and shall not be used or applied for any other purpose until the said debentures and interest thereon shall have been fully redeemed and paid, but Hield Brothers Limited its successors and assigns shall not be bound or concerned to see to the application of such moneys or any part thereof.

Commence-
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Kingston.

1st Reading

February 13th, 1934

2nd Reading

February 23rd, 1934

3rd Reading

March 5th, 1934

MR. BLACK

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Harriston.

MR. MCQUIBBAN

(PRIVATE BILL)

BILL

An Act respecting the Town of Harriston.

Preamble.

WHEREAS the corporation of the town of Harriston has by its petition represented that its by-law number 646 to guarantee payment of the principal and interest of a first mortgage bond issue for \$35,000 of Royal Sterling Products Limited, an industry carrying on business in the said town, has been submitted to and received the assent of the electors of the corporation duly qualified to vote on money by-laws and has prayed that an Act be passed to validate and confirm the said by-law and an agreement entered into relating to the said guarantee; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Harriston Act, 1934*.

By-law No. 646 and agreement confirmed.

2. By-law number 646 of the corporation of the town of Harriston and the agreement made the 14th day of February, 1934, between the said corporation and Royal Sterling Products Limited are and each of them is ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company and its successors and assigns, and the said corporation is authorized and empowered to do all acts and things necessary for the due fulfilment and proper carrying out of the said by-law and agreement.

Commence- ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

TOWN OF HARRISTON BY-LAW No. 646

A by-law to provide for the guarantee of payment of the principal and interest of first mortgage bonds of Royal Sterling Products Limited.

WHEREAS Royal Sterling Products Limited, a Company incorporated under the laws of The Dominion of Canada, having its head office in the Town of Harriston, proposes to issue first mortgage bonds as hereinafter described and secured by a deed of trust and mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds;

AND WHEREAS the said Royal Sterling Products Limited has petitioned this Corporation praying that this Corporation shall guarantee the payment of the principal of and interest on the said bonds;

AND WHEREAS the amount of the whole rateable property of the Municipality according to the last revised assessment is \$628,070.55;

AND WHEREAS the amount of the existing debenture debt of the Corporation exclusive of local improvement debt secured by special rates or assessments is \$34,334.01 and none of the principal or interest is in arrears;

NOW, THEREFORE, the Municipal Council of the Corporation of the Town of Harriston enacts as follows:

1. That the Mayor and Treasurer be and are hereby authorized for and on behalf of the Corporation of the Town of Harriston to guarantee the payment of the principal of and interest on first mortgage bonds to be issued by Royal Sterling Products Limited for an aggregate principal amount of Thirty-five Thousand Dollars bearing interest at the rate of five per cent. per annum payable semi-annually and repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in schedule "A" hereto annexed, such bonds to be issued under and secured by a deed of trust or mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds.

2. That the form of guarantee to be endorsed on the said bonds shall be as follows: "The Corporation of the Town of Harriston hereby guarantees to the holder for the time being of the within bond and to the holder for the time being of any of the coupons attached thereto due payment of the principal of the within bond and of the interest thereon according to the tenor of the said bond and of the coupons attached thereto."

SEAL

.....
Mayor.

.....
Treasurer.

And the Mayor and Treasurer are hereby designated to sign the said guarantee on behalf of the Corporation and to affix to each said endorsement the seal of this Corporation.

3. That in the event that default is made of payment of the principal of any of the said bonds or of any of the coupons for interest attached thereto by the said Royal Sterling Products Limited the Council of the Corporation of the Town of Harriston may agree with any bank or person for temporary advances to meet the amount in default in any one year pending the collection of such amount by a rate on all the rateable property in the Municipality.

4. That nothing herein done shall do away with or lessen the liability of Royal Sterling Products Limited to pay the principal of the said bonds and the coupons for interest attached thereto in the first instance or in any way interfere with the right of the Corporation of the Town of

Harriston to recover from the said Royal Sterling Products Limited any and all sums of money which it may pay or expend in consequence of guaranteeing payment of the principal of and interest on the said bonds.

5. That this by-law shall come into force and take effect on the date upon which it is validated by the Legislature of the Province of Ontario.

Read a first and second time this 24th day of October, 1933.

Read a third time and passed this 15th day of December, 1933.

(Sgd.) J. H. FAWCETT,
Mayor.

SEAL

(Sgd.) WM. MONTGOMERY,
Clerk.

Schedule "A" to By-Law No. 646

No.	Principal	Interest	Total
1.....	\$1,058.49	\$1,750.00	\$2,808.49
2.....	1,111.42	1,697.07	2,808.49
3.....	1,166.99	1,641.50	2,808.49
4.....	1,225.34	1,583.15	2,808.49
5.....	1,286.60	1,521.89	2,808.49
6.....	1,350.93	1,457.56	2,808.49
7.....	1,418.48	1,390.01	2,808.49
8.....	1,489.40	1,319.09	2,808.49
9.....	1,563.87	1,244.62	2,808.49
10.....	1,642.07	1,166.42	2,808.49
11.....	1,724.17	1,084.32	2,808.49
12.....	1,810.38	998.11	2,808.49
13.....	1,900.90	907.59	2,808.49
14.....	1,995.94	812.55	2,808.49
15.....	2,095.74	712.75	2,808.49
16.....	2,200.52	607.97	2,808.49
17.....	2,310.55	497.94	2,808.49
18.....	2,426.08	382.41	2,808.49
19.....	2,547.38	261.11	2,808.49
20.....	2,674.75	133.74	2,808.49
	<u>\$35,000.00</u>		

This Agreement made this 14th day of February, A.D. 1934.

BETWEEN:

ROYAL STERLING PRODUCTS, LIMITED

of the first part;

—and—

THE MUNICIPAL CORPORATION OF THE TOWN OF HARRISTON

of the second part.

Whereas the Party of the First Part is now carrying on and has since in or about August, 1928, carried on business in the Town of Harriston as manufacturers of whisks and brooms;

And whereas since August, 1928, the Party of the First Part has almost continuously employed in its plant an average of fifty or more persons;

And whereas the Party of the First Part, being indebted to the Bank in the sum of Forty-five Thousand Dollars (\$45,000.00) and being required by the Bank to reduce said indebtedness has authorized the issue of Thirty-five Thousand Dollars (\$35,000.00) of first Mortgage bonds and has petitioned the corporation of the said Town of Harriston to guarantee payment of the principal of and the interest on the said bonds;

And whereas on the 15th day of December, 1933, the Municipal Council of the said Corporation of the Town of Harriston did, with the assent of the electors of the said Town of Harriston, entitled to vote on money By-laws, unanimously pass By-law number 646 of the Town of Harriston authorizing the Corporation of the Town of Harriston to guarantee the payment of principal of and interest on such bonds.

Now this Agreement witnesseth that in consideration of the mutual covenants and agreements hereinafter contained, the said Parties hereto mutually covenant and agree to and with each other in manner following:

1. The Party of the First Part agrees to carry on the said business for a period of twenty years from the date of the issuance of the bonds and to employ an average of at least fifty persons.

2. The said Party of the First Part agrees to execute and deliver a first real estate Mortgage upon the said premises, factory, plant and machinery in favour of a trustee for the holder of said bonds to secure Thirty-five Thousand Dollars (\$35,000.00) of five per cent. (5%) bonds of the Party of the First Part, such bonds to bear interest at the rate of five per cent. (5%) per annum payable semi-annually and be repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in Schedule "A" hereto, such Mortgage to be the usual Mortgage for protection of bond holders, and to be in form satisfactory to the Party of the Second Part and its Solicitors, and specifically to contain a clause that in the event of the Party of the First Part making default in the payment of principal or interest to the bond holders, and the Party of the Second Part being required to pay pursuant to any guarantee of the said bond, then the Party of the Second Part shall be subrogated to the rights of the bond holders for any payment so made, and when so subrogated, the trustee so appointed shall become trustee for the said Party of the Second Part.

3. The Party of the First Part covenants and agrees to keep the said factory, plant and machinery insured in favour of the Party of the Second Part or such trustee for bond holders, to an amount at least equal to the amount remaining due to its bond holders until the said bonds have been fully paid.

4. The Party of the First Part covenants and agrees that the full proceeds from the sale of the bonds shall be applied firstly in payment of the costs and expenses of such issue, secondly in paying the balance due Mrs. Marion Dale on the purchase price of its plant at Harriston amounting to about \$7,000.00 and thirdly in reducing the indebtedness to the Bank and will satisfy the said Party of the second Part by proper evidence that there are no liens, charges or encumbrances of any kind against the said plant, and the said first Mortgage is a first charge and lien upon the said factory, plant and premises of the said Party of the First Part.

5. The Party of the First Part further covenants and agrees with the said Party of the Second Part that it will pay all expenses of drawing and advertising, the submission and passing of the By-law and all documents and agreements thereunder.

6. The said Party of the Second Part agrees that it will unconditionally guarantee, as to both principal and interest, the Thirty-five Thousand Dollars (\$35,000.00) first Mortgage five per cent. (5%) bonds of the said Party of the First Part and to be secured by a first Real Estate Mortgage upon the lands, factory, plant and machinery of the said Party of the First Part as hereinbefore set forth, and to be secured as hereinbefore set forth on the usual form of Mortgage for securing bonds of a Company in favour of such trustee as may be appointed for the purpose of taking such Mortgage.

7. It is further agreed that this agreement shall not take effect or be binding on either of the Parties hereto until a bill validating the by-law shall have received its Royal Assent.

8. It is further agreed that the provisions of this agreement shall enure for the benefit of and be binding not only on the Parties hereto, but their respective successors and assigns.

In witness whereof the said Parties have hereunto set their hands and the seals of their respective officers authorized for the said purpose the day and year first above written.

SIGNED, SEALED AND DELIVERED

ROYAL STERLING PRODUCTS, LIMITED

In the presence of

GEO. WALKEY,
President.

A. S. WHALEY.

J. H. SHANNON,
Secretary.
(SEAL)

A. H. GARDINER.

THE MUNICIPAL CORPORATION OF THE
TOWN OF HARRISTON
A. B. WHETSTONE,
Mayor.
W. MONTGOMERY,
Clerk.
(SEAL)

BILL.

An Act respecting the Town of Harriston.

1st Reading

2nd Reading

3rd Reading

MR. MCQUEBBAN

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Harriston.

MR. MCQUIBBAN

(PRIVATE BILL)

No. 31

1934

BILL

An Act respecting the Town of Harriston.

Preamble.

WHEREAS the corporation of the town of Harriston has by its petition represented that its by-law number 646 to guarantee payment of the principal and interest of a first mortgage bond issue for \$35,000 of Royal Sterling Products Limited, an industry carrying on business in the said town, has been submitted to and received the assent of the electors of the corporation duly qualified to vote on money by-laws and has prayed that an Act be passed to validate and confirm the said by-law and an agreement entered into relating to the said guarantee; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Harriston Act, 1934*.

By-law
No. 646 and
agreement
confirmed.


2. By-law number 646 of the corporation of the town of Harriston and the agreement made the 14th day of February, 1934, between the said corporation and Royal Sterling Products Limited are and each of them is ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company and its successors and assigns, and the said corporation is authorized and empowered to do all acts and things necessary for the due fulfilment and proper carrying out of the said by-law and agreement.



Approval of
Ontario
Municipal
Board
requisite.

3.—(1) Notwithstanding the provisions of section 2 or of the by-law and agreement therein confirmed no action shall be taken by the council of the corporation of the town of Harriston to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of the Royal Sterling Products Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

Inquiry by
Ontario
Municipal
Board.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose. 

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

TOWN OF HARRISTON BY-LAW No. 646

A by-law to provide for the guarantee of payment of the principal and interest of first mortgage bonds of Royal Sterling Products Limited.

WHEREAS Royal Sterling Products Limited, a Company incorporated under the laws of The Dominion of Canada, having its head office in the Town of Harriston, proposes to issue first mortgage bonds as hereinafter described and secured by a deed of trust and mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds;

AND WHEREAS the said Royal Sterling Products Limited has petitioned this Corporation praying that this Corporation shall guarantee the payment of the principal of and interest on the said bonds;

AND WHEREAS the amount of the whole ratable property of the Municipality according to the last revised assessment is \$628,070.55;

AND WHEREAS the amount of the existing debenture debt of the Corporation exclusive of local improvement debt secured by special rates or assessments is \$34,334.01 and none of the principal or interest is in arrears;

NOW, THEREFORE, the Municipal Council of the Corporation of the Town of Harriston enacts as follows:

1. That the Mayor and Treasurer be and are hereby authorized for and on behalf of the Corporation of the Town of Harriston to guarantee the payment of the principal of and interest on first mortgage bonds to be issued by Royal Sterling Products Limited for an aggregate principal amount of Thirty-five Thousand Dollars bearing interest at the rate of five per cent. per annum payable semi-annually and repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in schedule "A" hereto annexed, such bonds to be issued under and secured by a deed of trust or mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds.

2. That the form of guarantee to be endorsed on the said bonds shall be as follows: "The Corporation of the Town of Harriston hereby guarantees to the holder for the time being of the within bond and to the holder for the time being of any of the coupons attached thereto due payment of the principal of the within bond and of the interest thereon according to the tenor of the said bond and of the coupons attached thereto."

SEAL

.....
Mayor.

.....
Treasurer.

And the Mayor and Treasurer are hereby designated to sign the said guarantee on behalf of the Corporation and to affix to each said endorsement the seal of this Corporation.

3. That in the event that default is made of payment of the principal of any of the said bonds or of any of the coupons for interest attached thereto by the said Royal Sterling Products Limited the Council of the Corporation of the Town of Harriston may agree with any bank or person for temporary advances to meet the amount in default in any one year pending the collection of such amount by a rate on all the rateable property in the Municipality.

4. That nothing herein done shall do away with or lessen the liability of Royal Sterling Products Limited to pay the principal of the said bonds and the coupons for interest attached thereto in the first instance or in any way interfere with the right of the Corporation of the Town of

Harriston to recover from the said Royal Sterling Products Limited any and all sums of money which it may pay or expend in consequence of guaranteeing payment of the principal of and interest on the said bonds.

5. That this by-law shall come into force and take effect on the date upon which it is validated by the Legislature of the Province of Ontario.

Read a first and second time this 24th day of October, 1933.

Read a third time and passed this 15th day of December, 1933.

(Sgd.) J. H. FAWCETT,
Mayor.

SEAL

(Sgd.) WM. MONTGOMERY,
Clerk.

Schedule "A" to By-Law No. 646

No.	Principal	Interest	Total
1.....	\$1,058.49	\$1,750.00	\$2,808.49
2.....	1,111.42	1,697.07	2,808.49
3.....	1,166.99	1,641.50	2,808.49
4.....	1,225.34	1,583.15	2,808.49
5.....	1,286.60	1,521.89	2,808.49
6.....	1,350.93	1,457.56	2,808.49
7.....	1,418.48	1,390.01	2,808.49
8.....	1,489.40	1,319.09	2,808.49
9.....	1,563.87	1,244.62	2,808.49
10.....	1,642.07	1,166.42	2,808.49
11.....	1,724.17	1,084.32	2,808.49
12.....	1,810.38	998.11	2,808.49
13.....	1,900.90	907.59	2,808.49
14.....	1,995.94	812.55	2,808.49
15.....	2,095.74	712.75	2,808.49
16.....	2,200.52	607.97	2,808.49
17.....	2,310.55	497.94	2,808.49
18.....	2,426.08	382.41	2,808.49
19.....	2,547.38	261.11	2,808.49
20.....	2,674.75	133.74	2,808.49
	<u>\$35,000.00</u>		

This Agreement made this 14th day of February, A.D. 1934.

BETWEEN:

ROYAL STERLING PRODUCTS, LIMITED

of the first part;

—and—

THE MUNICIPAL CORPORATION OF THE TOWN OF HARRISTON

of the second part.

Whereas the Party of the First Part is now carrying on and has since in or about August, 1928, carried on business in the Town of Harriston as manufacturers of whisks and brooms;

And whereas since August, 1928, the Party of the First Part has almost continuously employed in its plant an average of fifty or more persons;

And whereas the Party of the First Part, being indebted to the Bank in the sum of Forty-five Thousand Dollars (\$45,000.00) and being required by the Bank to reduce said indebtedness has authorized the issue of Thirty-five Thousand Dollars (\$35,000.00) of first Mortgage bonds and has petitioned the corporation of the said Town of Harriston to guarantee payment of the principal of and the interest on the said bonds;

And whereas on the 15th day of December, 1933, the Municipal Council of the said Corporation of the Town of Harriston did, with the assent of the electors of the said Town of Harriston, entitled to vote on money By-laws, unanimously pass By-law number 646 of the Town of Harriston authorizing the Corporation of the Town of Harriston to guarantee the payment of principal of and interest on such bonds.

Now this Agreement witnesseth that in consideration of the mutual covenants and agreements hereinafter contained, the said Parties hereto mutually covenant and agree to and with each other in manner following:

1. The Party of the First Part agrees to carry on the said business for a period of twenty years from the date of the issuance of the bonds and to employ an average of at least fifty persons.

2. The said Party of the First Part agrees to execute and deliver a first real estate Mortgage upon the said premises, factory, plant and machinery in favour of a trustee for the holder of said bonds to secure Thirty-five Thousand Dollars (\$35,000.00) of five per cent. (5%) bonds of the Party of the First Part, such bonds to bear interest at the rate of five per cent. (5%) per annum payable semi-annually and be repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in Schedule "A" hereto, such Mortgage to be the usual Mortgage for protection of bond holders, and to be in form satisfactory to the Party of the Second Part and its Solicitors, and specifically to contain a clause that in the event of the Party of the First Part making default in the payment of principal or interest to the bond holders, and the Party of the Second Part being required to pay pursuant to any guarantee of the said bond, then the Party of the Second Part shall be subrogated to the rights of the bond holders for any payment so made, and when so subrogated, the trustee so appointed shall become trustee for the said Party of the Second Part.

3. The Party of the First Part covenants and agrees to keep the said factory, plant and machinery insured in favour of the Party of the Second Part or such trustee for bond holders, to an amount at least equal to the amount remaining due to its bond holders until the said bonds have been fully paid.

4. The Party of the First Part covenants and agrees that the full proceeds from the sale of the bonds shall be applied firstly in payment of the costs and expenses of such issue, secondly in paying the balance due Mrs. Marion Dale on the purchase price of its plant at Harriston amounting to about \$7,000.00 and thirdly in reducing the indebtedness to the Bank and will satisfy the said Party of the second Part by proper evidence that there are no liens, charges or encumbrances of any kind against the said plant, and the said first Mortgage is a first charge and lien upon the said factory, plant and premises of the said Party of the First Part.

5. The Party of the First Part further covenants and agrees with the said Party of the Second Part that it will pay all expenses of drawing and advertising, the submission and passing of the By-law and all documents and agreements thereunder.

6. The said Party of the Second Part agrees that it will unconditionally guarantee, as to both principal and interest, the Thirty-five Thousand Dollars (\$35,000.00) first Mortgage five per cent. (5%) bonds of the said Party of the First Part and to be secured by a first Real Estate Mortgage upon the lands, factory, plant and machinery of the said Party of the First Part as hereinbefore set forth, and to be secured as hereinbefore set forth on the usual form of Mortgage for securing bonds of a Company in favour of such trustee as may be appointed for the purpose of taking such Mortgage.

7. It is further agreed that this agreement shall not take effect or be binding on either of the Parties hereto until a bill validating the by-law shall have received its Royal Assent.

8. It is further agreed that the provisions of this agreement shall enure for the benefit of and be binding not only on the Parties hereto, but their respective successors and assigns.

In witness whereof the said Parties have hereunto set their hands and the seals of their respective officers authorized for the said purpose the day and year first above written.

SIGNED, SEALED AND DELIVERED

ROYAL STERLING PRODUCTS, LIMITED

In the presence of

GEO. WALKEY,
President.

A. S. WHALEY.

J. H. SHANNON,
Secretary.
(SEAL)

A. H. GARDINER.

THE MUNICIPAL CORPORATION OF THE
TOWN OF HARRISTON

A. B. WHETSTONE,
Mayor.

W. MONTGOMERY,
Clerk.
(SEAL)

BILL

An Act respecting the Town of Harriston.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. MCQUIBBAN

*(Reprinted as amended by the Private
Bills Committee)*

No. 31

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Harriston.

MR. MCQUIBBAN

TORONTO
PRINTED BY HERBERT H. BALL
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

BILL

An Act respecting the Town of Harriston.

Preamble.

WHEREAS the corporation of the town of Harriston has by its petition represented that its by-law number 646 to guarantee payment of the principal and interest of a first mortgage bond issue for \$35,000 of Royal Sterling Products Limited, an industry carrying on business in the said town, has been submitted to and received the assent of the electors of the corporation duly qualified to vote on money by-laws and has prayed that an Act be passed to validate and confirm the said by-law and an agreement entered into relating to the said guarantee; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Harriston Act, 1934*.

By-law
No. 646 and
agreement
confirmed.

2. By-law number 646 of the corporation of the town of Harriston and the agreement made the 14th day of February, 1934, between the said corporation and Royal Sterling Products Limited are and each of them is ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company and its successors and assigns, and the said corporation is authorized and empowered to do all acts and things necessary for the due fulfilment and proper carrying out of the said by-law and agreement.

Approval of
Ontario
Municipal
Board
requisite.

3.—(1) Notwithstanding the provisions of section 2 or of the by-law and agreement therein confirmed no action shall be taken by the council of the corporation of the town of Harriston to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of the Royal Sterling Products Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

Inquiry by
Ontario
Municipal
Board.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

TOWN OF HARRISTON BY-LAW No. 646

A by-law to provide for the guarantee of payment of the principal and interest of first mortgage bonds of Royal Sterling Products Limited.

WHEREAS Royal Sterling Products Limited, a Company incorporated under the laws of The Dominion of Canada, having its head office in the Town of Harriston, proposes to issue first mortgage bonds as hereinafter described and secured by a deed of trust and mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds;

AND WHEREAS the said Royal Sterling Products Limited has petitioned this Corporation praying that this Corporation shall guarantee the payment of the principal of and interest on the said bonds;

AND WHEREAS the amount of the whole ratable property of the Municipality according to the last revised assessment is \$628,070.55;

AND WHEREAS the amount of the existing debenture debt of the Corporation exclusive of local improvement debt secured by special rates or assessments is \$34,334.01 and none of the principal or interest is in arrears;

NOW, THEREFORE, the Municipal Council of the Corporation of the Town of Harriston enacts as follows:

1. That the Mayor and Treasurer be and are hereby authorized for and on behalf of the Corporation of the Town of Harriston to guarantee the payment of the principal of and interest on first mortgage bonds to be issued by Royal Sterling Products Limited for an aggregate principal amount of Thirty-five Thousand Dollars bearing interest at the rate of five per cent. per annum payable semi-annually and repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in schedule "A" hereto annexed, such bonds to be issued under and secured by a deed of trust or mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds.

2. That the form of guarantee to be endorsed on the said bonds shall be as follows: "The Corporation of the Town of Harriston hereby guarantees to the holder for the time being of the within bond and to the holder for the time being of any of the coupons attached thereto due payment of the principal of the within bond and of the interest thereon according to the tenor of the said bond and of the coupons attached thereto."

SEAL

.....
Mayor.

.....
Treasurer.

And the Mayor and Treasurer are hereby designated to sign the said guarantee on behalf of the Corporation and to affix to each said endorsement the seal of this Corporation.

3. That in the event that default is made of payment of the principal of any of the said bonds or of any of the coupons for interest attached thereto by the said Royal Sterling Products Limited the Council of the Corporation of the Town of Harriston may agree with any bank or person for temporary advances to meet the amount in default in any one year pending the collection of such amount by a rate on all the rateable property in the Municipality.

4. That nothing herein done shall do away with or lessen the liability of Royal Sterling Products Limited to pay the principal of the said bonds and the coupons for interest attached thereto in the first instance or in any way interfere with the right of the Corporation of the Town of

Harriston to recover from the said Royal Sterling Products Limited any and all sums of money which it may pay or expend in consequence of guaranteeing payment of the principal of and interest on the said bonds.

5. That this by-law shall come into force and take effect on the date upon which it is validated by the Legislature of the Province of Ontario.

Read a first and second time this 24th day of October, 1933.

Read a third time and passed this 15th day of December, 1933.

(Sgd.) J. H. FAWCETT,
Mayor.

SEAL

(Sgd.) WM. MONTGOMERY,
Clerk.

Schedule "A" to By-Law No. 646

No.	Principal	Interest	Total
1.....	\$1,058.49	\$1,750.00	\$2,808.49
2.....	1,111.42	1,697.07	2,808.49
3.....	1,166.99	1,641.50	2,808.49
4.....	1,225.34	1,583.15	2,808.49
5.....	1,286.60	1,521.89	2,808.49
6.....	1,350.93	1,457.56	2,808.49
7.....	1,418.48	1,390.01	2,808.49
8.....	1,489.40	1,319.09	2,808.49
9.....	1,563.87	1,244.62	2,808.49
10.....	1,642.07	1,166.42	2,808.49
11.....	1,724.17	1,084.32	2,808.49
12.....	1,810.38	998.11	2,808.49
13.....	1,900.90	907.59	2,808.49
14.....	1,995.94	812.55	2,808.49
15.....	2,095.74	712.75	2,808.49
16.....	2,200.52	607.97	2,808.49
17.....	2,310.55	497.94	2,808.49
18.....	2,426.08	382.41	2,808.49
19.....	2,547.38	261.11	2,808.49
20.....	2,674.75	133.74	2,808.49
	<u>\$35,000.00</u>		

This Agreement made this 14th day of February, A.D. 1934.

BETWEEN:

ROYAL STERLING PRODUCTS, LIMITED

of the first part;

—and—

THE MUNICIPAL CORPORATION OF THE TOWN OF HARRISTON

of the second part.

Whereas the Party of the First Part is now carrying on and has since in or about August, 1928, carried on business in the Town of Harriston as manufacturers of whisks and brooms;

And whereas since August, 1928, the Party of the First Part has almost continuously employed in its plant an average of fifty or more persons;

And whereas the Party of the First Part, being indebted to the Bank in the sum of Forty-five Thousand Dollars (\$45,000.00) and being required by the Bank to reduce said indebtedness has authorized the issue of Thirty-five Thousand Dollars (\$35,000.00) of first Mortgage bonds and has petitioned the corporation of the said Town of Harriston to guarantee payment of the principal of and the interest on the said bonds;

And whereas on the 15th day of December, 1933, the Municipal Council of the said Corporation of the Town of Harriston did, with the assent of the electors of the said Town of Harriston, entitled to vote on money By-laws, unanimously pass By-law number 646 of the Town of Harriston authorizing the Corporation of the Town of Harriston to guarantee the payment of principal of and interest on such bonds.

Now this Agreement witnesseth that in consideration of the mutual covenants and agreements hereinafter contained, the said Parties hereto mutually covenant and agree to and with each other in manner following:

1. The Party of the First Part agrees to carry on the said business for a period of twenty years from the date of the issuance of the bonds and to employ an average of at least fifty persons.

2. The said Party of the First Part agrees to execute and deliver a first real estate Mortgage upon the said premises, factory, plant and machinery in favour of a trustee for the holder of said bonds to secure Thirty-five Thousand Dollars (\$35,000.00) of five per cent. (5%) bonds of the Party of the First Part, such bonds to bear interest at the rate of five per cent. (5%) per annum payable semi-annually and be repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in Schedule "A" hereto, such Mortgage to be the usual Mortgage for protection of bond holders, and to be in form satisfactory to the Party of the Second Part and its Solicitors, and specifically to contain a clause that in the event of the Party of the First Part making default in the payment of principal or interest to the bond holders, and the Party of the Second Part being required to pay pursuant to any guarantee of the said bond, then the Party of the Second Part shall be subrogated to the rights of the bond holders for any payment so made, and when so subrogated, the trustee so appointed shall become trustee for the said Party of the Second Part.

3. The Party of the First Part covenants and agrees to keep the said factory, plant and machinery insured in favour of the Party of the Second Part or such trustee for bond holders, to an amount at least equal to the amount remaining due to its bond holders until the said bonds have been fully paid.

4. The Party of the First Part covenants and agrees that the full proceeds from the sale of the bonds shall be applied firstly in payment of the costs and expenses of such issue, secondly in paying the balance due Mrs. Marion Dale on the purchase price of its plant at Harriston amounting to about \$7,000.00 and thirdly in reducing the indebtedness to the Bank and will satisfy the said Party of the second Part by proper evidence that there are no liens, charges or encumbrances of any kind against the said plant, and the said first Mortgage is a first charge and lien upon the said factory, plant and premises of the said Party of the First Part.

5. The Party of the First Part further covenants and agrees with the said Party of the Second Part that it will pay all expenses of drawing and advertising, the submission and passing of the By-law and all documents and agreements thereunder.

6. The said Party of the Second Part agrees that it will unconditionally guarantee, as to both principal and interest, the Thirty-five Thousand Dollars (\$35,000.00) first Mortgage five per cent. (5%) bonds of the said Party of the First Part and to be secured by a first Real Estate Mortgage upon the lands, factory, plant and machinery of the said Party of the First Part as hereinbefore set forth, and to be secured as hereinbefore set forth on the usual form of Mortgage for securing bonds of a Company in favour of such trustee as may be appointed for the purpose of taking such Mortgage.

7. It is further agreed that this agreement shall not take effect or be binding on either of the Parties hereto until a bill validating the by-law shall have received its Royal Assent.

8. It is further agreed that the provisions of this agreement shall enure for the benefit of and be binding not only on the Parties hereto, but their respective successors and assigns.

In witness whereof the said Parties have hereunto set their hands and the seals of their respective officers authorized for the said purpose the day and year first above written.

SIGNED, SEALED AND DELIVERED

ROYAL STERLING PRODUCTS, LIMITED

In the presence of

GEO. WALKEY,
President.

A. S. WHALEY.

J. H. SHANNON,
Secretary.
(SEAL)

A. H. GARDINER.

THE MUNICIPAL CORPORATION OF THE
TOWN OF HARRISTON

A. B. WHETSTONE,
Mayor.

W. MONTGOMERY,
Clerk.
(SEAL)

BILL

An Act respecting the Town of Harriston.

1st Reading

February 13th, 1934

2nd Reading

March 16th, 1934

3rd Reading

March 21st, 1934

MR. MCQUIBBAN

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of McIrvine.

MR. ELLIOTT

(PRIVATE BILL)

BILL

An Act respecting the Township of McIrvine.

Preamble.

WHEREAS William P. Pilkey on behalf of himself and other owners of lands in the township of McIrvine in the district of Rainy River have by their petition represented that they have entered into an arrangement with the council of the corporation of the said township whereby certain lands in the said township shall be exempted from taxation or shall be subject to a fixed taxation and have prayed that by special legislation authority be granted to carry out such arrangement; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of McIrvine Act, 1934.*

Authority to grant fixed taxation upon certain lands.

2. The council of the corporation of the township of McIrvine may pass by-laws and enter into agreements for granting to the owners of lands designated on a plan of survey of part of Indian Reserve No. 1, Rainy Lake, in the said township as laid out on a plan of survey of record in the office of Land Titles at the town of Fort Frances as Plan S.M. 88, a fixed annual taxation or rate of taxation for municipal purposes upon such lands for so long as they are used and occupied for summer cottage purposes, and any fixed taxation granted by the said council in respect of such lands since the 1st day of January, 1930, is hereby validated and confirmed.

Authority to exempt Golf Club from taxation.

3. The council of the said corporation may pass by-laws and enter into agreements for granting to the Rainy Lake Golf and Country Club Limited, its successors and assigns exemption from taxation for municipal purposes upon the lands leased by the said company from the Superintendent of Indian Affairs composed of 25.66 acres designated on the plan referred

to in section 2 for so long as the said lands are used and occupied for the purposes of golf.

Assent of
electors
not
necessary.

4. It shall not be necessary for the validity of any such by-law or agreement that it be submitted to or receive the assent of any of the electors of the said township.

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of
McIrvine.

1st Reading

2nd Reading

3rd Reading

MR. ELLIOTT

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of McIrvine.

MR. ELLIOTT

BILL

An Act respecting the Township of McIrvine.

Preamble.

WHEREAS William P. Pilkey on behalf of himself and other owners of lands in the township of McIrvine in the district of Rainy River have by their petition represented that they have entered into an arrangement with the council of the corporation of the said township whereby certain lands in the said township shall be exempted from taxation or shall be subject to a fixed taxation and have prayed that by special legislation authority be granted to carry out such arrangement; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of McIrvine Act, 1934*.

Authority to grant fixed taxation upon certain lands.

2. The council of the corporation of the township of McIrvine may pass by-laws and enter into agreements for granting to the owners of lands designated on a plan of survey of part of Indian Reserve No. 1, Rainy Lake, in the said township as laid out on a plan of survey of record in the office of Land Titles at the town of Fort Frances as Plan S.M. 88, a fixed annual taxation or rate of taxation for municipal purposes upon such lands for so long as they are used and occupied for summer cottage purposes, and any fixed taxation granted by the said council in respect of such lands since the 1st day of January, 1930, is hereby validated and confirmed.

Authority to exempt Golf Club from taxation.

3. The council of the said corporation may pass by-laws and enter into agreements for granting to the Rainy Lake Golf and Country Club Limited, its successors and assigns exemption from taxation for municipal purposes upon the lands leased by the said company from the Superintendent of Indian Affairs composed of 25.66 acres designated on the plan referred

to in section 2 for so long as the said lands are used and occupied for the purposes of golf.

4. It shall not be necessary for the validity of any such by-law or agreement that it be submitted to or receive the assent of any of the electors of the said township. ^{Assent of electors not necessary.}

5. This Act shall come into force on the day upon which it receives the Royal Assent. ^{Commencement of Act.}

BILL

An Act respecting the Township of
McIrvine.

1st Reading

February 13th, 1934

2nd Reading

March 2nd, 1934

3rd Reading

March 7th, 1934

MR. ELLIOTT

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Brantford Young Men's Christian Association.

MR. JUTTEN

(PRIVATE BILL)

BILL

An Act respecting the Brantford Young Men's Christian Association.

Preamble.

WHEREAS an association under the name of The Brantford Young Men's Christian Association was incorporated on the 30th day of March, 1874, under the provisions of an Act passed in the 37th year of the reign of Her late Majesty Queen Victoria, chaptered 34, and entitled *An Act respecting Benevolent, Provident and other Societies* and has since existed for the purposes therein set forth, and under the provisions an Act passed in the 3rd year of the reign of His late Majesty King Edward the Seventh, chaptered 130, the incorporation was confirmed and the rights and powers of the said association were defined as therein set forth; and whereas the said association has by petition prayed that the said powers granted under the said last mentioned Act be enlarged so that it may acquire and hold lands outside of the city of Brantford; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Brantford Y.M.C.A. Act, 1934.*

1903,
c. 130, s. 1,
amended.

2. Section 1 of chapter 130 of the Acts passed in the 3rd year of the reign of His late Majesty King Edward the Seventh is amended by striking out the words "in the city of Brantford" in the seventeenth and eighteenth lines and inserting in lieu thereof the words "or any interest therein in any place or places in the Province of Ontario."

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Bill 3
BILL

An Act respecting the Brantford Young
Men's Christian Association.

1st Reading

2nd Reading

3rd Reading

MR. JUTTEN

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Brantford Young Men's Christian Association.

MR. JUTTEN

(PRIVATE BILL)

BILL

An Act respecting the Brantford Young Men's Christian Association.

Preamble.

WHEREAS an association under the name of The Brantford Young Men's Christian Association was incorporated on the 30th day of March, 1874, under the provisions of an Act passed in the 37th year of the reign of Her late Majesty Queen Victoria, chaptered 34, and entitled *An Act respecting Benevolent, Provident and other Societies* and has since existed for the purposes therein set forth, and under the provisions an Act passed in the 3rd year of the reign of His late Majesty King Edward the Seventh, chaptered 130, the incorporation was confirmed and the rights and powers of the said association were defined as therein set forth; and whereas the said association has by petition prayed that the said powers granted under the said last mentioned Act be enlarged so that it may acquire and hold lands outside of the city of Brantford; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Brantford Y.M.C.A. Act, 1934*.

1903,
c. 130, s. 1,
amended.

2. Section 1 of chapter 130 of the Acts passed in the 3rd year of the reign of His late Majesty King Edward the Seventh is amended by striking out the words "in the city of Brantford" in the seventeenth and eighteenth lines and inserting in lieu thereof the words "or any interest therein in any place or places in the Province of Ontario."



Tax
exemption
not to apply.

3. Any real estate acquired by the corporation situate outside of the city of Brantford shall not be exempt from taxation.



Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Brantford Young
Men's Christian Association.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. TUTTEN

(Reprinted as amended by the Private
Bills Committee.)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Brantford Young Men's Christian Association.

MR. JUTTEN

No. 33

1934

BILL

An Act respecting the Brantford Young Men's Christian Association.

Preamble.

WHEREAS an association under the name of The Brantford Young Men's Christian Association was incorporated on the 30th day of March, 1874, under the provisions of an Act passed in the 37th year of the reign of Her late Majesty Queen Victoria, chaptered 34, and entitled *An Act respecting Benevolent, Provident and other Societies* and has since existed for the purposes therein set forth, and under the provisions an Act passed in the 3rd year of the reign of His late Majesty King Edward the Seventh, chaptered 130, the incorporation was confirmed and the rights and powers of the said association were defined as therein set forth; and whereas the said association has by petition prayed that the said powers granted under the said last mentioned Act be enlarged so that it may acquire and hold lands outside of the city of Brantford; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Brantford Y.M.C.A. Act, 1934.*

1903,
c. 130, s. 1,
amended.

2. Section 1 of chapter 130 of the Acts passed in the 3rd year of the reign of His late Majesty King Edward the Seventh is amended by striking out the words "in the city of Brantford" in the seventeenth and eighteenth lines and inserting in lieu thereof the words "or any interest therein in any place or places in the Province of Ontario."

Tax
exemption
not to apply.

3. Any real estate acquired by the corporation situate outside of the city of Brantford shall not be exempt from taxation.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Brantford Young
Men's Christian Association.

1st Reading

February 13th, 1934

2nd Reading

February 23rd, 1934

3rd Reading

March 5th, 1934

MR. JUTTEN

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Port Arthur.

MR. HOGARTH

(PRIVATE BILL)

BILL

An Act respecting the City of Port Arthur.

Preamble.

WHEREAS the corporation of the city of Port Arthur has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Port Arthur Act, 1934.*

By-law No. 2084 and agreement relating to fixed assessment for Provincial Paper confirmed.

2. By-law number 2084 of the said corporation passed on the 29th day of January, 1934, and the agreement entered into pursuant thereto dated the 30th day of November, 1933, made between the Provincial Paper Limited and the said corporation granting to the said company a fixed assessment in respect to the lands for the period and upon the terms therein set forth are, and each of them is, hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation, and the ratepayers thereof, and upon Provincial Paper Limited, its successors and assigns.

Conveyance of certain hospital lands to the city confirmed.

3. The conveyances of the lands in the city of Port Arthur known as Park Lot Number Five on the north side of Dawson Street upon which was erected what was known as The Railway, Marine and General Hospital of Port Arthur made by The General Hospital of Port Arthur to the corporation of the city of Port Arthur dated the tenth day of January, 1934, and by Ambrose Wideman, sole surviving trustee of The Railway, Marine and General Hospital of Port Arthur to the corporation of the city of Port Arthur dated the thirteenth day of December, 1933, are hereby ratified and confirmed and declared to be good and valid conveyances and that the effect thereof shall be to vest the said lands in the said corporation free and clear from any trust or limitation in respect of the use or sale of such lands and to release and discharge The General

Hospital of Port Arthur from all claims or demands now due or hereafter to become due to the said corporation in connection with the mortgage given by the trustees of The Railway, Marine and General Hospital of Port Arthur to the said corporation and described in said conveyance dated the tenth day of January, 1934.

Separate
income
assessment
roll.

4.—(1) Notwithstanding the provisions of *The Assessment Act* the council of the corporation of the city of Port Arthur may by by-law provide for taking the assessment of income for the purposes of taxation in each year separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereof are to be levied as the by-law may provide.

Return of
roll and
appeals
therefrom.

(2) Any such by-law shall provide for the time when the roll for such income assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll, and the time for appealing from the court of revision to the district judge shall be within three days after the decision of the court of revision is given.

Revised
assessment
roll.

(3) The assessment of income so made and completed in any year whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income on which the rate of taxation upon income for such year shall be levied by the council, and the assessment roll thereof with the assessment roll of real property, business and other assessments made for the same year shall when both thereof are finally revised together form the last-revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

Rev. Stat.
cc. 233, 238.

Time for
payment of
income tax.

(4) The Council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable.

1884,
c. 57, s. 5,
repealed.

5. Section 5 of the Act respecting the town of Port Arthur passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria and chaptered 57, is repealed.

By-law
No. 2073
and
debentures
confirmed.

6. By-law numbered 2073 of the said corporation passed on the 10th day of October, 1933, authorizing the borrowing of \$3,404.12 by the issue of debentures to pay for certain

house sewer connections therein described and all debentures issued or to be issued under said by-law are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act. 7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

CITY OF PORT ARTHUR

BY-LAW No. 2084

A BY-LAW providing for a fixed assessment for the lands of Provincial Paper Limited.

Whereas Provincial Paper Limited is the owner of lands and premises in the City of Port Arthur upon which are erected pulp and paper mills;

And whereas the said Provincial Paper Limited has entered into an Agreement with the City of Port Arthur referred to as Schedule "A" hereto;

And whereas the said Provincial Paper Limited has requested the City of Port Arthur to exempt the said lands and all rights-of-way and easements now or hereafter used or enjoyed by the Company in connection therewith and all buildings and other erections, plant, machinery and equipment of the said Company now or hereafter upon the said lands and also the Company and the property thereof from time to time within the said Corporation of the City of Port Arthur from municipal assessment in part and to agree to and fix the assessment of the said lands and rights and all buildings and other erections, plant and equipment now or hereafter upon the said lands and the Company and the property thereof from time to time situate in the said municipality as hereinafter set forth, saving and excepting such portions of the lands aforesaid upon which may be from time to time erected dwelling houses, stores or other similar buildings not actually used in connection with the plant operated or to be operated by the Company, provided however, that temporary use of such buildings shall not bring the lands upon which the same are erected within this exception;

And whereas it appears expedient to accede to the said request and to fix the assessment of the said lands, rights, buildings, erections, plant and equipment of the Company and its property, save as aforesaid, for the period of ten years;

Now therefore be it enacted and it is hereby enacted as a by-law by the Municipal Council of the Corporation of the City of Port Arthur that:

1. An agreement be entered into with Provincial Paper Limited in the terms of the agreement (Schedule "A" hereto) and that the Mayor and Clerk of the said Municipal Corporation be and they are hereby authorized to execute the said agreement on behalf of the Corporation under its corporate seal.

2. The annual assessment of the lands and premises of the Company including the business assessment, and the rights-of-way and easements now or hereafter used or enjoyed by the Company in connection therewith, together with the buildings, erections, plant, machinery and equipment now or hereafter constructed, erected or used upon or in connection therewith and the annual assessment of the Company and the property, franchises and effects of the Company (including the business assessment) from time to time situate within the City of Port Arthur upon the said lands saving and excepting the portions of the lands aforesaid, upon which may be from time to time erected, dwelling houses, stores or other similar buildings not actually used in connection with the plant or plants operated or to be operated by the Company (provided, however, the temporary use of such buildings shall not bring the lands upon which the same are erected within this exception) shall be and the same is hereby fixed at the sum of Six Hundred and Fifty Thousand Dollars (\$650,000.00) for the years 1934 to 1943 both inclusive, and save as aforesaid the said lands, rights, buildings,

plant, machinery and equipment hereinbefore more particularly described and the Company and its property, franchises and effects from time to time situate within the City of Port Arthur shall be and the same are hereby exempted during the years 1934 to 1943 both inclusive from all Municipal Assessment and taxation of any kind and every kind whatsoever beyond the amount to be ascertained in each year by application of the yearly rate levied by the Municipal Council for the Corporation for all purposes in each such year to the said fixed assessment.

3. The assessors and other officers making the assessment in the said Municipal Corporation of the City of Port Arthur are hereby authorized and required to so make their assessment and returns as to conform to the provisions of this by-law.

4. This by-law shall come into force and effect from and after the passing thereof after the same has received the assent of the electors of the Corporation of the City of Port Arthur.

5. Nothing in this By-law contained shall apply to or affect taxation for school purposes and local improvements.

6. This By-law is passed subject to the terms and conditions referred to in the Agreement dated November 30th, 1933, and referred to as Schedule "A."

7. This By-law shall enure to the benefit of and be binding upon the Company and its successors and assigns.

Passed this 29th day of January, A.D. 1934.

Council Chamber,
Port Arthur, Ontario.

CHARLES W. COX, *Mayor*.

ARTHUR H. EVANS, *Clerk*.

Schedule "A" to By-law No. 2084

Memorandum of Agreement made this 30th day of November, one thousand nine hundred and thirty-three.

BETWEEN:

THE CORPORATION OF THE CITY OF PORT ARTHUR
(hereinafter called "The City"),

of the first part,

—and—

PROVINCIAL PAPER LIMITED (hereinafter called "The
Company"),

of the second part.

Whereas by an Agreement bearing date the 23rd day of September, 1916, and made between the City and one Aimwell G. McIntyre, it was agreed among other things that the said McIntyre should cause a Company to be incorporated and that the said Company should after incorporation construct certain works upon the lands referred to in the said Agreement.

And whereas the said Agreement and subsequent Agreements were assigned by the said McIntyre with the consent of the City to Port Arthur Pulp and Paper Company Limited and were further assigned by the said Port Arthur Pulp and Paper Company Limited to Provincial Paper Mills Limited and further assigned by the Provincial Paper Mills Limited to the Company, the party hereto of the second part;

And whereas clause eleven of the original Agreement bearing date the 23rd day of September, 1916, provides that the City shall supply to the Company within a reasonable time after demand therefor from one to two million gallons of water per day of twenty-four hours through its

waterworks system, delivering said water at the Company's boiler-house and mill, with meter attached at the following rates, namely, one cent per thousand gallons;

And whereas the said clause eleven imposed an obligation upon the City to deliver water to the said Company at a loss of what is claimed to be approximately Sixteen Thousand (\$16,000.00) Dollars per annum;

And whereas the City desires to be relieved from the payment of this loss and the Company has agreed to release the City from the obligation created by the said clause eleven and to rescind and cancel the same;

And whereas the Company had requested the City to exempt the lands and premises and right-of-way and all other property and buildings and plant and machinery and equipment of the Company now or hereafter constructed, used or enjoyed by the Company, situate within the City of Port Arthur, from municipal assessment in part and to agree to and fix the assessment of the said lands at the sum of Six Hundred and Fifty Thousand (\$650,000.00) Dollars upon the terms and conditions hereinafter mentioned;

Now therefore this Agreement witnesseth that the parties hereto agree the one with the other as follows:

1. The annual assessment of the lands and premises of the Company within the City of Port Arthur including the business assessment, and the rights-of-way and easements now or hereafter used or enjoyed by the Company in connection therewith, together with the buildings, erections, plant, machinery and equipment now or hereafter constructed, erected or used upon or in connection therewith and the annual assessment of the Company and the property, franchises and effects of the Company (including the business assessment) from time to time situate within the City of Port Arthur upon the said lands saving and excepting the portions of the lands aforesaid, upon which may be from time to time erected, dwelling houses, stores or other similar buildings not actually used in connection with the plant or plants operated or to be operated by the Company (provided, however, the temporary use of such buildings shall not bring the lands upon which the same are erected within this exception) shall be and the same is hereby fixed at the sum of Six Hundred and Fifty Thousand (\$650,000.00) Dollars for the years 1934 to 1943 both inclusive, and save as aforesaid the said lands, rights, buildings, plant, machinery and equipment hereinbefore more particularly described and the Company and its property, franchises and effects from time to time situate within the City of Port Arthur shall be and the same are hereby exempted during the years 1934 to 1943 both inclusive from all Municipal Assessment and taxation of any kind and every kind whatsoever beyond the amount to be ascertained in each year by application of the yearly rate levied by the Municipal Council for the Corporation for all purposes in each such year to the said fixed assessment.

2. Nothing in this Agreement contained shall apply to or affect taxation for school purposes or local improvement rates.

3. The parties hereto mutually agree that clause eleven of the Agreement bearing date the 23rd day of September, 1916, shall be rescinded and cancelled, and that the City shall not be responsible for the payment of the water account of the Company or any part thereof from and after the final passing of the By-law by the Municipal Council.

4. It is further agreed that the fixed assessment herein provided for shall cease and be of no effect for any year during the said period in which the Company fails to operate the said mill or mills in the manufacture of pulp and paper for at least one hundred and eighty (180) days in any year unless prevented by fire, strikes, storms, floods, acts of God or the King's enemies. The Company agrees to pay to the City full taxes on the total assessment for the year in which it fails to operate as aforesaid, the intention being that the Company shall only have the benefit of the fixed assessment in each year in which it operates its mill or mills in the manufacture of pulp and paper for at the least one hundred and eighty (180) days and if default occurs in such operation the Company will pay taxes for such year or years

so in default as if the assessment had not been fixed. The Company agrees to permit the City or its lawful agent properly authorized in that behalf to examine the records and payroll of the Company at the end of such year to ascertain whether the Company has operated the mill or mills in accordance with the terms of this clause and the said Company agrees to facilitate and co-operate with the City or its agent for the purpose of obtaining such information. The City agrees on its part to notify the Company not later than sixty (60) days after the close of each year if the City deems the Company to be in default. In the absence of such notification the Company will for the purpose of this Agreement be deemed to have complied with the provisions hereof.

5. In all other respects the Agreement of September 23rd, 1916, and all subsequent and supplemental Agreements entered into between the City and the Company and its predecessors in title are hereby confirmed and except as hereinbefore provided nothing herein contained shall prejudice, alter or affect the rights of either of the parties under the said Agreements.

6. This Agreement shall enure to the benefit of and be binding upon the Company and its successors and assigns.

7. This Agreement is subject to the approval of the electors of the City of Port Arthur entitled to vote thereon and the City agrees to have this Agreement and the By-law in connection therewith submitted to the vote of the electors at the next Annual Municipal Election and will submit the same and any By-law for such fixed assessment and the carrying out by the City of the terms of this Agreement, to the Legislature of the Province of Ontario for validation at its next Session.

In witness whereof the City has caused these presents to be signed by its Mayor and Clerk and its corporate seal to be affixed hereto and the Company has caused its corporate seal to be hereto affixed under the hands of its proper officers.

Signed, Sealed and Delivered	{	THE CORPORATION OF THE CITY OF
In the presence of		PORT ARTHUR.
GRACE McGRADY		GEORGE BLANCHARD, <i>Mayor</i> .
		T. F. MILNE, <i>Clerk</i> .
		PROVINCIAL PAPER LIMITED.
		S. F. DUNCAN, <i>President</i> .
		W. S. BARBER, <i>Secretary</i> .

Corporate Seal—THE CORPORATION OF THE CITY OF PORT ARTHUR.

Corporate Seal—PROVINCIAL PAPER LIMITED.

CITY OF PORT ARTHUR

BY-LAW No. 2073

BY-LAW to authorize the issue of Debentures for House Sewer Connections.

Whereas by Section 11 of Chapter 69 of 5 Edw. VII, as amended by Section 5 of Chapter 124 of 10 Edw. VII, the City of Port Arthur was empowered upon the request of the owners of any lands fronting on a street on which a sewer is constructed to make all necessary connections on such lands between such sewer and the lands or buildings of such owner, and to charge the cost thereof against the lands of such owner, adding the amount to the Collector's Roll and levy and collect same in the same manner as other taxes;

And whereas the said Act further provides that the Corporation may, for the purposes of making such connections, issue debentures from time to time payable within fifteen (15) years from the date of the issue of such debentures for such amount as may be necessary and may assess and levy a special annual rate upon such land sufficient to pay the debt so contracted and the interest thereon in equal annual instalments;

And whereas upon the request of the owners, House Sewer Connections have been made pursuant to such authority as shown in Schedule "A" hereto attached, the total cost thereof being \$3,404.12;

And whereas it is necessary to issue debentures to cover the said sum of \$3,404.12, the proceeds of the said debentures to be applied to the said purpose and no other;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of fifteen years, being the currency of the said debentures, said yearly sums being of such respective amounts that the aggregate amount payable in each year for principal and interest in respect of the said debt shall be as nearly as possible equal to the amount so payable in each of the other fourteen years of the said period as shown in Schedule "B" hereto attached.

And whereas the amount of the whole rateable property of the said City of Port Arthur according to the last-revised Assessment Roll is \$32,354,465 of which \$5,147,930 is wholly exempt from taxation and \$1,181,460 is exempt except for school taxes;

And whereas the amount of the existing Debenture Debt of the said City of Port Arthur is \$6,371,192.38 inclusive of Local Improvement debts secured by special acts, rates or assessments and there is no part of the principal or interest in arrear;

Therefore the Council of the Corporation of the City of Port Arthur enacts as follows:

1. The expenditure of the said sum of \$3,404.12 for the purposes aforesaid is hereby authorized, ratified and confirmed.

2. For the purpose of raising the said sum of \$3,404.12 being the total amount representing the cost of said House Sewer Connections, as is shown in Schedule "A" hereto, debentures of the City of Port Arthur to the said amount of \$3,404.12 shall be issued on the First day of October, 1932, in sums of not less than \$50 each.

3. The said debt and debentures issued therefor shall bear interest at the rate of $5\frac{1}{2}$ per cent. per annum. The said debentures shall be dated on the date of the issue thereof, and shall be payable in equal amounts in each of the said fifteen years next succeeding the said date, such amounts being made up of the aggregate amount due each year on account of the principal and interest as shown in the said Schedule "B" hereto.

4. Each of the said debentures shall be signed by the Mayor of the said City or by some other person authorized by by-law to sign the same, and by the Treasurer of the said City and the Clerk shall attach thereto the Corporate Seal of the said Municipality.

5. The said debentures shall be payable on the First day of October in each year during the said fifteen years in the Bank of Montreal, Port Arthur.

6. During the fifteen years from October 1st, 1932, to October 1st, 1947, inclusive, being fifteen years next succeeding the date of the issue of the said debentures, there shall be raised annually by special rate on the several properties benefited by each of the said House Sewer Connections, and as particularly shown in said Schedule "A" hereto, the respective amounts for the cost and expense incurred in making such connections, the same to be assessed and levied as a special annual rate upon said lands sufficient to pay the debt so contracted in equal annual instalments of principal and

interest so as to make up the total of \$339.14 for the purpose of paying the debentures falling due in each of the said fifteen years respectively.

7. This By-law shall come into force on the day of the final passing thereof.

GEORGE BLANCHARD, *Mayor*.

T. F. MILNE, *Clerk*.

Council Chamber, Port Arthur,
10th day of October, 1933.

Schedule "A" to By-law No. 2073

HOUSE SEWER CONNECTIONS, 1947

Name	Address	Property	Amount	Annual Pay- ment
			\$ c.	\$ c.
WARD 1				
Laurie, C. N., Est..	363 Waverley St..	Lot 2-4 of 7 N. Pearl.....	161 22	16 12
WARD 2				
Lamont, Mrs. A....	123 S. Algoma....	31 of 4 N. Bay....	62 00	6 20
Krokback, E.....	238 S. Court.....	33 of 3 N. John...	84 71	8 47
Cox, C. W.....	48 S. High.....	Lots 497-8 Mariday.....	76 47	7 65
Oksanen, W.....	451 John St.....	Less N. 33', Lot 14, Blk. 9 O'Brien, 2nd Sur.....	97 11	9 71
Niemi, W.....	449 John St.....	Less N. 33' Lot 15, Blk. 9 O'Brien, A., 2nd Sur.....	88 15	8 81
Barr, G.....	427 John St.....	Less N. 33' Lot 11, Blk. 10, O'Brien, 2nd Sur.....	316 85	31 68
Neill, T.....	21 McKibbin St..	Lot 511, Ray Park	68 63	6 86
Yeomans, H. C....	648 Oliver Rd....	E. 17' of Lot 27 and whole Lot 28, Oliver Hgts.	43 43	4 34
Garner, Geo.....	461 Pearl St.....	1 of 8-9 S. Pearl..	146 43	14 64
Morellato, V.....	403 Queen St.....	Lot 35, Blks. 13 and 24, O'Brien, Add. 2nd Sur..	77 20	7 72
Wirten, I.....	335 Ray Blvd....	34 of 5 Marks-Wiley.....	94 90	9 49
Mickelson, Mrs. J..	39 Ray Blvd....	393 Ray Park....	68 58	6 86
Lehtonen, K. H....	93 S. Rockwood..	54 Ray Park....	110 81	11 08
Lehtonen, K. H....	89 S. Rockwood..	55 Ray Park....	113 97	11 40
Hartvickson, J....	155 Summit Ave..	420 Mariday Park	267 28	26 73
McDougall, G. F...	136 Winnipeg Ave.	252-3 Mariday Pk.	88 99	8 90
WARD 3				
Cox, A.V.....	233 Angus St.....	E. 1/2 16 of O. McVicar.....	63 39	6 34
Campbell, Mrs. R..	306 N. Algoma...	3 of 4 McVicar...	65 55	6 55
McFayden Archie..	118 College St....	33 of 9 N. V. Norman.....	84 00	8 40
Czuczuk, Mrs. P...	121 Duke St.....	S. 1/2 17 E. Duke.	64 57	6 46
Rochon, Mrs. Della	23 Halle St.....	270 Wiley Add....	85 72	8 57

HOUSE SEWER CONNECTIONS, 1947—Continued

Name	Address	Property	Amount	Annual Payment
			\$ c.	\$ c.
Pollard, T.	15 Halle St.	94 Wiley Add.	104 58	10 46
Cody, L.	33 Halle St.	267 Wiley Add.	75 05	7 50
Donovan, K.	28 Melvin Ave.	5 of 11 Leys Add.	64 24	6 42
Helseth, F.	66 Melvin Ave.	88 Coatsworth Pk.	129 06	12 91
Srigley, C. E.	18 Melvin Ave.	2 of 11 Leys Add.	78 01	7 80
Dinsmore, J. F.	24 Melvin Ave.	4 of 11 Leys Add.	60 65	6 06
Willard, Mrs. F. M.	40 Melvin Ave.	8 of 11 Leys Add.	74 87	7 49
Paul, William.	19 Melvin Ave.	15 of 11 Leys Add.	64 57	6 46
Kozak, Harry.	32 Mona St.	173 Belt Line Pk.	96 41	9 64
Hogan, P. M.	285 McIntyre St.	9 of P. McVicar.	83 60	8 36
Valley, Miss L.	55 Pine St.	6 E. Pine.	68 87	6 89
Suttie, Mrs. T. C.	570 R. River Rd.	11-12 Russell Add.		
		R.R. Rd. 11-12		
		Sub. 12-13-14		
		N. R.R. Rd. and 12-13 S. Elizabeth.	63 54	6 35
Russell, J.	70 Regent St.	37 of 7-8 N. V. Norman, 2nd Subdiv.	57 17	5 72
Miller, C. A.	342 V. Horne St.	7 of 10 McVicar.	53 54	5 35
			3,404 12	340 39

Schedule "B" to By-law No. 2073

BY-LAW NO. 2073—AMOUNT, \$3,404.12—TERM, 15 YEARS

INTEREST, 5½%

Year	Debenture	Interest	Principal	Amount Payment	Balance
1933	1.	\$187 23	\$151 91	\$339 14	\$3,252 21
1934	2.	178 87	160 27	339 14	3,091 94
1935	3.	170 05	169 09	339 14	2,922 85
1936	4.	160 76	178 38	339 14	2,744 47
1937	5.	150 94	188 20	339 14	2,556 27
1938	6.	140 59	198 55	339 14	2,357 72
1939	7.	129 67	209 47	339 14	2,148 25
1940	8.	118 15	220 99	339 14	1,927 26
1941	9.	106 00	233 14	339 14	1,694 12
1942	10.	93 18	245 96	339 14	1,448 16
1943	11.	79 65	259 49	339 14	1,188 67
1944	12.	65 38	273 76	339 14	914 91
1945	13.	50 32	288 82	339 14	626 09
1946	14.	34 43	304 71	339 14	321 38
1947	15.	17 76	321 38	339 14

BILL

An Act respecting the City of Port Arthur.

1st Reading

2nd Reading

3rd Reading

MR. HOGARTH

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Port Arthur.

MR. HOGARTH

BILL

An Act respecting the City of Port Arthur.

Preamble.

WHEREAS the corporation of the city of Port Arthur has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Port Arthur Act, 1934.*

By-law
No. 2084
and agree-
ment relat-
ing to fixed
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2. By-law number 2084 of the said corporation passed on the 29th day of January, 1934, and the agreement entered into pursuant thereto dated the 30th day of November, 1933, made between the Provincial Paper Limited and the said corporation granting to the said company a fixed assessment in respect to the lands for the period and upon the terms therein set forth are, and each of them is, hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation, and the ratepayers thereof, and upon Provincial Paper Limited, its successors and assigns.

Conveyance
of certain
hospital
lands to
the city
confirmed.

3. The conveyances of the lands in the city of Port Arthur known as Park Lot Number Five on the north side of Dawson Street upon which was erected what was known as The Railway, Marine and General Hospital of Port Arthur made by The General Hospital of Port Arthur to the corporation of the city of Port Arthur dated the tenth day of January, 1934, and by Ambrose Wideman, sole surviving trustee of The Railway, Marine and General Hospital of Port Arthur to the corporation of the city of Port Arthur dated the thirteenth day of December, 1933, are hereby ratified and confirmed and declared to be good and valid conveyances and that the effect thereof shall be to vest the said lands in the said corporation free and clear from any trust or limitation in respect of the use or sale of such lands and to release and discharge The General

Hospital of Port Arthur from all claims or demands now due or hereafter to become due to the said corporation in connection with the mortgage given by the trustees of The Railway, Marine and General Hospital of Port Arthur to the said corporation and described in said conveyance dated the tenth day of January, 1934.

4.—(1) Notwithstanding the provisions of *The Assessment Act* the council of the corporation of the city of Port Arthur may by by-law provide for taking the assessment of income for the purposes of taxation in each year separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereof are to be levied as the by-law may provide. Separate income assessment roll.

(2) Any such by-law shall provide for the time when the roll for such income assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll, and the time for appealing from the court of revision to the district judge shall be within three days after the decision of the court of revision is given. Return of roll and appeals therefrom.

(3) The assessment of income so made and completed in any year whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income on which the rate of taxation upon income for such year shall be levied by the council, and the assessment roll thereof with the assessment roll of real property, business and other assessments made for the same year shall when both thereof are finally revised together form the last-revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act*, *The Assessment Act* and any other general or special Act. Revised assessment roll.

(4) The Council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable. Time for payment of income tax.

5. Section 5 of the Act respecting the town of Port Arthur passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria and chaptered 57, is repealed. 1884, c. 57, s. 5, repealed.

6. By-law numbered 2073 of the said corporation passed on the 10th day of October, 1933, authorizing the borrowing of \$3,404.12 by the issue of debentures to pay for certain By-law No. 2073 and debentures confirmed.

house sewer connections therein described and all debentures issued or to be issued under said by-law are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Port Arthur.

1st Reading

February 13th, 1934

2nd Reading

March 2nd, 1934

3rd Reading

March 7th, 1934

MR. HOGARTH

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Orillia.

MR. JAMIESON

(PRIVATE BILL)

BILL

An Act respecting the Town of Orillia.

Preamble.

WHEREAS the corporation of the town of Orillia has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Orillia Act, 1934*.

Authority to develop and distribute electrical power within radius of sixty miles.

2. All the powers now possessed by the corporation of the town of Orillia as to the construction, maintenance, and operation of works, plant and equipment of all kinds for the development of water powers, or for the generation, transmission and distribution of electrical power or energy, including the right to buy and sell such power or energy, shall be extended and enlarged so as to authorize the said corporation to exercise all such powers throughout the territory which lies within a radius of sixty miles from the said town.

Authority to issue debentures for electrical power purposes.

Rev. Stat., c. 233.

3. Subject to the approval of the electors of the said town and otherwise subject also to the provisions of *The Municipal Act*, the said corporation is hereby authorized and empowered to borrow from time to time upon debentures of the corporation such money as may be required for the purpose of making extensions or additions to, or improvements in, its works, plant, and equipment for the development of water powers and the generation, transmission, and distribution of electrical power or energy, and may upon any future issue of debentures made for the borrowing of money to acquire new or additional works, plant or equipment secure such debentures by a charge or lien upon the new or additional works, plant, or equipment to be acquired with the proceeds of such debentures.

Workman's Falls power development—title.

4. The title of Haliburton Development Company Limited to the water power developed or capable of development at

Workman's Falls on the Gull River, being at lot three in the third concession of the township of Minden in the provisional county of Haliburton, is hereby confirmed, and it is hereby declared that the bed of Gull River upon the stretch of such river running through the said lot three and the road allowances, if any, along each bank of the said stretch of the said river, are owned by the said company subject only to the public rights in the dam at this point and in any public highway opened, established, and now in actual use as a public highway.

Flooding
rights at
Workman's
Falls.

5. It is further declared that Haliburton Development Company, Limited, or the corporation of the town upon acquiring the title of the said company, shall be entitled to develop the said water power at Workman's Falls to the full capacity of the development possible at this point and to flood such lands as it may be necessary to flood in connection with such development, provided that due compensation is made for any damage suffered by the owners of lands affected by such flooding.

Flooding of
highways.

6. It shall be lawful for the corporation of the said town to flood any road allowances that may require to be flooded in the full development of the said water power upon condition that a convenient and suitable public highway or highways is or are provided by and at the expense of the said corporation in lieu of any part or parts of the public highways at present opened, established and in actual use that may require to be closed or diverted.

By-laws of
certain
townships
confirmed.

7. By-law number 519 of the corporation of the township of Rama, by-law number 743 of the corporation of the township of Mara, by-law number 348 of the corporation of the township of Dalton, by-law number 443 of the corporation of the township of Laxton, Digby and Longford, by-law number 620 of the corporation of the township of Lutterworth, by-law number 306 of the corporation of the township of Anson and Hindon and by-law number 543 of the corporation of the township of Minden, are each and all confirmed and declared to be legal, valid, and binding upon each of the said corporations and the ratepayers of them respectively.

By-law
No. 1156
and
debentures
confirmed.

8. By-law number 1156 of the corporation of the said town passed on the 17th day of June, A.D. 1932, to authorize the purchase of certain lands for an industrial site and to borrow the sum of \$50,000 by the issue of debentures for that purpose and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

BY-LAW NUMBER 543 OF THE TOWNSHIP OF MINDEN

A By-law to authorize Power Transmission Lines to be erected by the Town of Orillia.

Whereas the Municipal Corporation of the Town of Orillia contemplates the development of a Water Power at Workman's Falls on the Gull River, being at Lot Three in the Third Concession of the Township of Minden, and intends to build, construct, and operate a Power House and other works, plant and equipment for the development of such water power and the generation of electrical power and energy thereat; and in connection therewith will require to build, construct and operate electrical power transmission lines in part through the Township of Minden to connect the proposed power plant with the Town of Orillia.

And whereas the said Municipal Corporation of the Town of Orillia has applied to the Municipal Corporation of the Township of Minden for its consent to and approval of the construction, erection, maintenance and operation of the said power transmission lines along and upon certain highways of the Township of Minden, and it is expedient to grant such approval and consent;

Now therefore the Municipal Corporation of the Township of Minden by its Council enacts as follows:—

1. The Municipal Corporation of the Township of Minden doth hereby grant its consent and approval to the construction, erection, maintenance and operation of such power transmission lines as may be requisite for the purposes above recited, and doth hereby expressly authorize and empower the Municipal Corporation of the Town of Orillia and its servants, contractors, agents, or workmen, to construct, erect, maintain, and operate such power transmission lines with all poles, wires, guys, anchors, transformers, and other apparatus or equipment requisite for the transmission and distribution of electrical power and energy along and upon the road allowance between the Second and Third Concessions from a point on the westerly limit of Lot Three in the Third Concession of the said Township of Minden to the road known as the Dorset-Minden Highway, thence along the Dorset-Minden Highway to the intersection of such highway with the Bobcaygeon Road, thence along the Bobcaygeon Road to the westerly boundary of the Township of Minden, the route of the said power transmission line being indicated in red on the blueprint hereto attached. The right hereby given shall include the right to erect, maintain, and operate upon the same pole line, a telephone line or lines as incidental to the operation of the said power line.

2. The said Municipal Corporation of the Town of Orillia is hereby also authorized and empowered to distribute and sell electrical power or energy in those parts of the Township of Minden which lie within two miles on either side of the said proposed power transmission line, and to construct and maintain and operate poles, wires, guys, anchors, transformers, and other plant or equipment necessary for the distribution and delivery of such electrical power or energy upon any public highway or road allowance within the area to be served.

3. No exclusive rights are hereby granted.

4. In so far as it may be necessary to do so in erecting, maintaining, or operating the said power transmission and distribution lines, the right is hereby given the Municipal Corporation of the Town of Orillia and its servants or agents, to trim or cut down such trees as may interfere with the erection or operation of the said lines.

5. The powers and rights herein given may be exercised by the Orillia Water, Light and Power Commission (representing the said Town of Orillia) or by any Public Utility Commission having the control and operation from time to time of the electrical power works and distribution system of the said Town.

6. All the poles, wires, and other equipment incidental to the said transmission or distribution lines to be constructed or placed upon highways in the Township of Minden shall be well and safely constructed and maintained, and the construction, erection, maintenance, and operation by the said Municipal Corporation of the Town of Orillia is permitted hereunder upon the express condition and provision that the Municipal Corporation of the Town of Orillia shall at all times indemnify and save harmless the Corporation of the Township of Minden against any actions or claims for damages that may arise out of or be due to the construction, erection, maintenance, or operation of the said transmission and distribution lines, or from the exercise of any of the rights herein granted.

Passed this 6th day of February, A.D. 1934.

G. A. CROFTS,
Acting Reeve.

(SEAL)

FRED B. WRIGHT,
Clerk.

Confirmed by:

JAS. A. TAYLOR, *Reeve.*

BY-LAW NUMBER 1156 OF THE TOWN OF ORILLIA

A By-law to provide for the purchase of an industrial site at the southeast corner of Colborne and Andrew Streets in the Town of Orillia, and to provide for borrowing the sum of Fifty Thousand Dollars (\$50,000.00) upon debentures to pay for such site.

Whereas the Municipal Corporation of the Town of Orillia has agreed to purchase at a price or sum of Fifty Thousand Dollars (\$50,000.00) but subject to the assent of the electors qualified to vote on money By-laws, as required by *The Industrial Sites Act (1929)*, from Tudhope Factory Premises, Limited, a factory site situate at the southeast corner of Colborne and Andrew Streets in the Town of Orillia, and more particularly described as follows:—

Commencing at the intersection of the southerly limit of Colborne Street with the easterly limit of Andrew Street; thence running easterly along the said southerly limit of Colborne Street, a distance of one hundred and eighty feet (180') more or less to the middle line of a brick wall running southerly from Colborne Street; thence running southerly parallel to the easterly limit of Andrew Street and along the middle line of such wall and the production thereof in a continuing straight line southerly a distance of one hundred and thirty-five feet (135') more or less to a point one foot north from the northerly edge of the coal, oil and water storage building; thence running easterly parallel to the southerly limit of Colborne Street, a distance of thirteen feet (13'); thence southerly parallel to the easterly limit of Andrew Street, a distance of one hundred and twenty-nine feet (129'); thence westerly parallel to the southerly limit of Colborne Street, a distance of thirteen feet (13'); thence southerly parallel to the easterly limit of Andrew Street, a distance of two hundred and seventy-four feet (274') more or less to a point distant on the same course five hundred and thirty-eight feet from the southerly limit of Colborne Street; thence running in a westerly direction parallel to the said southerly limit of Colborne Street, a distance of one hundred and eighty feet (180') more or less to the easterly limit of Andrew Street; thence running in a northerly direction along the easterly limit of Andrew Street, a distance of five hundred and thirty-eight feet (538') more or less to its intersection with the southerly limit of Col-

borne Street, the lands above described being part of the lands described in and conveyed by Deed from Carriage Factories Limited to one, Melville B. Tudhope, registered in the Registry Office at Barrie as Number 19188;

Subject to the reservation during a maximum period of twenty years of certain rights to the use of the heating plant and water tank upon the said lands and the equipment, piping and other connections necessary to supply heat and water for fire protection to the lands adjoining the lands above described, and to the east thereof;

And whereas it is expedient for such purpose to borrow the said sum of fifty thousand dollars (\$50,000.00) on the credit of the Corporation, and to issue debentures therefor bearing interest at the rate of Six per cent. (6%) per annum, payable half-yearly, which is the amount of the debt intended to be created by this By-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during a period of fifteen years of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of Five Thousand One Hundred and Forty-eight and 13/100 Dollars (\$5,148.13) during the period of fifteen years to pay the said yearly sums of principal and interest as they become due;

And whereas the amount of the whole rateable property of the Municipality according to the last revised Assessment Roll is Four Million Eight Hundred and Thirty-eight Thousand and Seventy-nine Dollars (\$4,838,079.00);

And whereas the amount of the existing debenture debt of the Corporation, exclusive of local improvement debts secured by special rates or assessment, is Seven Hundred and Sixty-seven Thousand, Five Hundred and Sixty-six and 07/100 Dollars (\$767,566.07) and no part of the principal or interest is in arrear;

Therefore the Municipal Council of the Corporation of the Town of Orillia enacts as follows:—

1. That the purchase of the lands above mentioned and described from Tudhope Factory Premises, Limited, at the price or sum of Fifty Thousand Dollars (\$50,000.00) for the purpose of a factory site or sites, in accordance with the powers given by *The Industrial Sites Act (1929)* be and the same is hereby authorized and approved.

2. That the Council from time to time as occasion may arise shall be authorized to sell or lease the said land or any part or parts thereof from time to time upon such terms and conditions as may seem to such Council right and proper for the purpose of sites for the establishment and carrying on of industries and industrial operations.

3. That for the purposes aforesaid there shall be borrowed on the credit of the Corporation at large the sum of Fifty Thousand Dollars (\$50,000.00), and Debentures shall be issued therefor in sums of not less than One Hundred Dollars (\$100.00) each, bearing interest at the rate of six per cent. (6%) per annum, payable half-yearly and having Coupons attached thereto for the payment of interest.

4. The Debentures shall all bear the same date, and shall be issued within two years after the day on which this By-law is passed, and may bear any date within such two years, and shall be payable in fifteen annual instalments during the years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

Year	Principal	Interest	Total
1.....	\$2,148 13	{ \$1,500 00 1,500 00 }	\$5,148 13
2.....	2,277 03	{ 1,435 55 1,435 55 }	5,148 13
3.....	2,413 65	{ 1,367 24 1,367 24 }	5,148 13
4.....	2,558 47	{ 1,294 83 1,294 83 }	5,148 13
5.....	2,711 97	{ 1,218 08 1,218 08 }	5,148 13
6.....	2,874 69	{ 1,136 72 1,136 72 }	5,148 13
7.....	3,047 17	{ 1,050 48 1,050 48 }	5,148 13
8.....	3,230 01	{ 959 06 959 07 }	5,148 13
9.....	3,423 81	{ 862 16 862 16 }	5,148 13
10.....	3,629 23	{ 759 45 759 45 }	5,148 13
11.....	3,846 99	{ 650 57 650 57 }	5,148 13
12.....	4,077 81	{ 535 16 535 16 }	5,148 13
13.....	4,322 47	{ 412 83 412 83 }	5,148 13
14.....	4,581 83	{ 283 15 283 15 }	5,148 13
15.....	4,856 74	{ 145 69 145 70 }	5,148 13
	<u>\$50,000 00</u>	<u>\$27,221 95</u>	<u>\$77,221 95</u>

5. The Debentures as to both principal and interest shall be expressed in Canadian currency, and may be payable at the Royal Bank of Canada at Orillia, and at any other place or places in Canada.

6. The Mayor of the Corporation shall sign and issue the Debentures, which shall also be signed by the Treasurer of the Corporation, and the Debentures shall be sealed with the seal of the Corporation. The interest coupons shall be signed by the Treasurer of the Corporation.

7. During fifteen years, the currency of the Debentures, the sum of Five Thousand One Hundred and Forty-eight and 13/100 Dollars, (\$5,148.13) shall be raised annually for the payment of the debt and interest by a special rate sufficient therefor over and above all other rates on the rateable property in the Municipality, at the same time and in the same manner as other rates, provided, however, that the amount to be levied and raised in any year or years may be such lesser sum than the said amount of Five Thousand One Hundred and Forty-eight and 13/100 Dollars (\$5,148.13) as may be sufficient to meet the payments due or accruing due upon the said Debentures after applying towards payment of the same such monies as may have been received by the Corporation from Baldwin Rubber Company of Canada, Limited, or any other purchaser or purchasers or tenant of the said lands or any part or parts thereof in payment of principal, interest, or rental in respect of the said lands.

8. All monies received by the Corporation from time to time on account of purchase money or interest or rent in respect of the said lands or any part or parts thereof shall be retained or invested as a Sinking Fund and applied and used exclusively toward payment of the principal and interest of the Debentures hereby authorized until payment of such Debentures and interest in full.

9. The Debentures so to be issued may contain any clause providing for registration thereof authorized by any Statute relating to Municipal Debentures in force at the time of the issue thereof.

10. It shall be lawful for the said Corporation of the Town of Orillia to use the monies received from the sale of the said Debentures or to pledge the said Debentures and use the monies so obtained upon the security of such Debentures upon the purchase of the said lands.

11. This By-law shall take effect on the day of the final passing thereof.

Passed this 17th day of June, A.D. 1932.

(Sgd.) R. CURRAN, *Mayor*.

(SEAL)

(Sgd.) CARRIE M. JOHNSTON, *Clerk*.

BILL

An Act respecting the Town of Orillia.

1st Reading

2nd Reading

3rd Reading

MR. JAMIESON

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Orillia.

MR. JAMIESON

(PRIVATE BILL)

No. 35

1934

BILL

An Act respecting the Town of Orillia.

Preamble.

WHEREAS the corporation of the town of Orillia has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Orillia Act, 1934*.



Authority to develop, generate and transmit electric power in five townships.

2. All the powers now possessed by the corporation of the town of Orillia as to the acquisition of lands and water powers and the construction, purchase, maintenance and operation of works, plant and equipment of all kinds for the development of water powers and for the generation and transmission of electrical power or energy shall be, and are hereby extended and enlarged so as to authorize the said corporation to exercise such powers in the townships of Minden, Anson, Lutterworth, Digby and Dalton.

Authority to sell power to The Hydro-Electric Power Commission of Ontario.

3. The said town of Orillia is further authorized and empowered to sell electrical power or energy, outside of the area for which it is now so authorized, to The Hydro-Electric Power Commission of Ontario.

Orillia shall supply up to 300 h.p. to Commission.

4. If and when the same are completed, the said town shall, from works constructed under section 2, supply to the said commission electrical power or energy up to three hundred horsepower as required from time to time by the said Commission for purposes under *The Power Commission Act*.

If unable to agree price to be fixed.

5. If the said town and commission are unable to agree upon the price of power or energy to be supplied pursuant to the last preceding section, then such price shall be fixed by the Lieutenant-Governor in Council or any board or other body to which such question may be referred by the Lieutenant-Governor in Council.

Approval
required

6.—(1) Before the said town commences the construction of any works authorized by section 2, a by-law authorizing the undertaking shall be submitted to the electors of the town entitled to vote on money by-laws, and shall be approved by a majority of the electors voting thereon; the said by-law authorizing the undertaking may be combined with a by-law authorizing debentures therefor; provided that at least one week before any such by-law is voted upon by its electors, the town shall have received a general approval of the undertaking by The Ontario Municipal Board.

(2) Nothing in subsection 1 contained shall require the said town to obtain the assent of the said electors or the approval of the said Board to the acquisition of the real property and other rights required for the development of the water power at Workman's Falls, if the cost of such acquisition is not to be provided by an issue of debentures of the said town.

Authority
to issue
debentures
for electrical
power
purposes.

Rev. Stat.,
c. 233.

7. Subject to the approval of the electors of the said town and otherwise subject also to the provisions of *The Municipal Act*, the said corporation is hereby authorized and empowered to borrow from time to time upon debentures of the corporation such money as may be required for the purpose of making extensions or additions to, or improvements in, its works, plant, and equipment for the development of water powers and the generation, transmission, and distribution of electrical power or energy, and may upon any future issue of debentures made for the borrowing of money to acquire new or additional works, plant or equipment secure such debentures by a charge or lien upon the new or additional works, plant, or equipment to be acquired with the proceeds of such debentures.

Workman's
Falls power
develop-
ment—title.

8. The title of Haliburton Development Company Limited to the water power developed or capable of development at Workman's Falls on the Gull River, being at lot three in the third concession of the township of Minden in the provisional county of Haliburton, is hereby confirmed, and it is hereby declared that the bed of Gull River upon the stretch of such river running through the said lot three and the road allowances, if any, along each bank of the said stretch of the said river, are owned by the said company subject only to the public rights in the dam at this point and in any public highway opened, established, and now in actual use as a public highway.

Flooding
rights at
Workman's
Falls.

9. It is further declared that Haliburton Development Company, Limited, or the corporation of the town upon acquiring the title of the said company, shall be entitled to develop the said water power at Workman's Falls to the full capacity of the development possible at this point and to flood

such lands as it may be necessary to flood in connection with such development, provided that due compensation is made for any damage suffered by the owners of lands affected by such flooding.

Flooding of
highways.

10. It shall be lawful for the corporation of the said town to flood any road allowances that may require to be flooded in the full development of the said water power upon condition that a convenient and suitable public highway or highways is or are provided by and at the expense of the said corporation in lieu of any part or parts of the public highways at present opened, established and in actual use that may require to be closed or diverted.



Six years
for
develop-
ment.

11.—(1) Should the said town fail to commence the work of developing the said water power at Workman's Falls within six years from the date of the Royal Assent to this Act or fail after the expiration of such six years to proceed with reasonable expedition to the completion of the works necessary to such development, then in either case the said municipality shall be under obligation to sell such water power and all the lands, rights and privileges acquired by it incidental to such water power including works under construction at any reasonable price offered by any person or corporation willing to purchase the same and able and willing to proceed promptly with the development of such water power and such purchaser shall assume the obligation of the said town to furnish power therefrom to The Hydro-Electric Power Commission of Ontario, as provided in this Act.

(2) The price to be paid the said town, the ability and readiness of the proposed purchaser to develop such water power and any other matter in dispute shall be determined by the Ontario Municipal Board, should the purchaser be unable otherwise to satisfy the said town.



By-laws of
certain
townships
confirmed.

12. By-law number 519 of the corporation of the township of Rama, by-law number 743 of the corporation of the township of Mara, by-law number 348 of the corporation of the township of Dalton, by-law number 443 of the corporation of the township of Laxton, Digby and Longford, by-law number 620 of the corporation of the township of Lutterworth, by-law number 306 of the corporation of the township of Anson and Hindon and by-law number 543 of the corporation of the township of Minden, are each and all confirmed and declared to be legal, valid, and binding upon each of the said corporations and the ratepayers of them respectively; Provided that nothing in this section or in any by-law herein validated shall, by implication or otherwise, be deemed to

empower the said town of Orillia to distribute or sell power in any of the said townships, except to The Hydro-Electric Power Commission of Ontario.

By-law
No. 1156
and
debentures
confirmed.

13. By-law number 1156 of the corporation of the said town passed on the 17th day of June, A.D. 1932, to authorize the purchase of certain lands for an industrial site and to borrow the sum of \$50,000 by the issue of debentures for that purpose and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

Commence-
ment of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Town of Orillia.

1st Reading

February 13th, 1934

2nd Reading

3rd Reading

MR. JAMIESON

*(Reprinted as amended by the Private
Bills Committee)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Orillia.

MR. JAMIESON

BILL

An Act respecting the Town of Orillia.

Preamble.

WHEREAS the corporation of the town of Orillia has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Orillia Act, 1934*.

Authority to develop, generate and transmit electric power in five townships.

2. All the powers now possessed by the corporation of the town of Orillia as to the acquisition of lands and water powers and the construction, purchase, maintenance and operation of works, plant and equipment of all kinds for the development of water powers and for the generation and transmission of electrical power or energy shall be, and are hereby extended and enlarged so as to authorize the said corporation to exercise such powers in the townships of Minden, Anson, Lutterworth, Digby and Dalton.

Authority to sell power to The Hydro-Electric Power Commission of Ontario.

3. The said town of Orillia is further authorized and empowered to sell electrical power or energy, outside of the area for which it is now so authorized, to The Hydro-Electric Power Commission of Ontario.

Orillia shall supply up to 300 h.p. to Commission.

4. If and when the same are completed, the said town shall, from works constructed under section 2, supply to the said commission electrical power or energy up to three hundred horsepower as required from time to time by the said Commission for purposes under *The Power Commission Act*.

If unable to agree price to be fixed.

5. If the said town and commission are unable to agree upon the price of power or energy to be supplied pursuant to the last preceding section, then such price shall be fixed by the Lieutenant-Governor in Council or any board or other body to which such question may be referred by the Lieutenant-Governor in Council.

6.—(1) Before the said town commences the construction of any works authorized by section 2, a by-law authorizing the undertaking shall be submitted to the electors of the town entitled to vote on money by-laws, and shall be approved by a majority of the electors voting thereon; the said by-law authorizing the undertaking may be combined with a by-law authorizing debentures therefor; provided that at least one week before any such by-law is voted upon by its electors, the town shall have received a general approval of the undertaking by The Ontario Municipal Board.

Approval
required

(2) Nothing in subsection 1 contained shall require the said town to obtain the assent of the said electors or the approval of the said Board to the acquisition of the real property and other rights required for the development of the water power at Workman's Falls, if the cost of such acquisition is not to be provided by an issue of debentures of the said town.

7. Subject to the approval of the electors of the said town and otherwise subject also to the provisions of *The Municipal Act*, the said corporation is hereby authorized and empowered to borrow from time to time upon debentures of the corporation such money as may be required for the purpose of making extensions or additions to, or improvements in, its works, plant, and equipment for the development of water powers and the generation, transmission, and distribution of electrical power or energy, and may upon any future issue of debentures made for the borrowing of money to acquire new or additional works, plant or equipment secure such debentures by a charge or lien upon the new or additional works, plant, or equipment to be acquired with the proceeds of such debentures.

Authority
to issue
debentures
for electrical
power
purposes.
Rev. Stat.,
c. 233.

8. The title of Haliburton Development Company Limited to the water power developed or capable of development at Workman's Falls on the Gull River, being at lot three in the third concession of the township of Minden in the provisional county of Haliburton, is hereby confirmed, and it is hereby declared that the bed of Gull River upon the stretch of such river running through the said lot three and the road allowances, if any, along each bank of the said stretch of the said river, are owned by the said company subject only to the public rights in the dam at this point and in any public highway opened, established, and now in actual use as a public highway.

Workman's
Falls power
develop-
ment—title.

9. It is further declared that Haliburton Development Company, Limited, or the corporation of the town upon acquiring the title of the said company, shall be entitled to develop the said water power at Workman's Falls to the full capacity of the development possible at this point and to flood

Flooding
rights at
Workman's
Falls.

such lands as it may be necessary to flood in connection with such development, provided that due compensation is made for any damage suffered by the owners of lands affected by such flooding.

Flooding of
highways.

10. It shall be lawful for the corporation of the said town to flood any road allowances that may require to be flooded in the full development of the said water power upon condition that a convenient and suitable public highway or highways is or are provided by and at the expense of the said corporation in lieu of any part or parts of the public highways at present opened, established and in actual use that may require to be closed or diverted.

Six years
for
develop-
ment.

11.—(1) Should the said town fail to commence the work of developing the said water power at Workman's Falls within six years from the date of the Royal Assent to this Act or fail after the expiration of such six years to proceed with reasonable expedition to the completion of the works necessary to such development, then in either case the said municipality shall be under obligation to sell such water power and all the lands, rights and privileges acquired by it incidental to such water power including works under construction at any reasonable price offered by any person or corporation willing to purchase the same and able and willing to proceed promptly with the development of such water power and such purchaser shall assume the obligation of the said town to furnish power therefrom to The Hydro-Electric Power Commission of Ontario, as provided in this Act.

(2) The price to be paid the said town, the ability and readiness of the proposed purchaser to develop such water power and any other matter in dispute shall be determined by the Ontario Municipal Board, should the purchaser be unable otherwise to satisfy the said town.

By-laws of
certain
townships
confirmed.

12. By-law number 519 of the corporation of the township of Rama, by-law number 743 of the corporation of the township of Mara, by-law number 348 of the corporation of the township of Dalton, by-law number 443 of the corporation of the township of Laxton, Digby and Longford, by-law number 620 of the corporation of the township of Lutterworth, by-law number 306 of the corporation of the township of Anson and Hindon and by-law number 543 of the corporation of the township of Minden, are each and all confirmed and declared to be legal, valid, and binding upon each of the said corporations and the ratepayers of them respectively; Provided that nothing in this section or in any by-law herein validated shall, by implication or otherwise, be deemed to

empower the said town of Orillia to distribute or sell power in any of the said townships, except to The Hydro-Electric Power Commission of Ontario.

13. By-law number 1156 of the corporation of the said town passed on the 17th day of June, A.D. 1932, to authorize the purchase of certain lands for an industrial site and to borrow the sum of \$50,000 by the issue of debentures for that purpose and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof. By-law No. 1156 and debentures confirmed.

14. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL

An Act respecting the Town of Orillia.

1st Reading

February 13th, 1934

2nd Reading

March 16th, 1934

3rd Reading

March 21st, 1934

MR. JAMIESON

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Southampton.

MR. HEIGHINGTON

(PRIVATE BILL)

No. 36

1934

BILL

An Act respecting the Town of Southampton.

Preamble.

WHEREAS the corporation of the town of Southampton has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Southampton Act, 1934.*

By-law
No. 862
confirmed.

2. By-law number 862 of the corporation of the town of Southampton is hereby ratified and confirmed and declared to be legal, valid and binding on the said corporation and on the ratepayers thereof, and the said corporation and its officers are hereby empowered and authorized to do all such acts as are required to be done by them under the provisions of the said by-law.

Authority
to pass
by-laws to
complete
guarantee.

3. The corporation may pass such further by-laws which for their validity shall not require the assent of the electors of the said corporation qualified to vote on money by-laws, to complete the guarantee by the said corporation of the debentures of The Bell Furniture Co. Limited, to be issued to the extent of not more than \$30,000.

Commence-
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW No. 862 OF THE MUNICIPAL CORPORATION
OF THE TOWN OF SOUTHAMPTON

A BY-LAW to grant aid to the Bell Furniture Company Limited (herein called the Company) by guaranteeing their debentures to the extent of \$30,000.00

Whereas the Company has carried on the business of Furniture Manufacturers in the Town of Southampton for a period of at least twenty-five years, employing a considerable number of employees;

And whereas the Company has applied to the Municipal Corporation of the Town of Southampton to aid their said industry by a Guarantee of the Debentures of the said Company which are to be issued and guaranteed to the extent of not more than \$30,000.00, payable with interest at the rate of six per cent. per annum in equal aggregate yearly installments of principal and interest for a period of 20 years;

And whereas the Municipal Council of the Town of Southampton has agreed to grant such aid, subject to certain terms, conditions, and provisos hereinafter mentioned and referred to;

And whereas the said Company in consideration of the said Guarantee agrees to enter into a written agreement under seal with the said Corporation that the proceeds of the sale of the said Debentures shall be deposited with the Canadian Bank of Commerce, Southampton, Ontario, or any other chartered bank, and that the same shall be paid out for the purpose of purchasing material and the payment of wages only; and shall provide monthly reports to the Municipal Council in respect to the said proceeds; and shall on or before the first day of February, 1934, commence its operations, employing a daily average of not less than seventy-five hands or employees (other than the officers of the Company) during the next twenty consecutive years, giving preference to the ratepayers of the Corporation at the usual wages which from time to time are paid to such employees in the district, provided, however, that the date for commencement of business and the daily average number to be employed may be modified or changed temporarily by the Municipal Council upon any valid reason for so doing being given to the Municipal Council of the Town of Southampton by the Company; and shall keep insured, during the currency of the debentures, the buildings, plant, machinery and equipment on the lands belonging to the Company in the sum of at least \$100,000.00 with loss, if any, payable to the Corporation of the Town of Southampton, as its interest or interests may appear; and shall pay or cause to be paid all taxes, rates or assessments that have been or may be imposed or levied in respect to the said lands or premises, whether municipal, provincial, or otherwise; and shall, in order to secure and indemnify the Corporation of the Town of Southampton against any loss or liability which it may suffer or incur or to which it may be put at any time by reason of such Guarantee, at the Company's expense, before the Guarantee hereby authorized being given or endorsed upon any of the Debentures, Execute, Deliver, and Register, to the Municipal Corporation of the Town of Southampton, a first mortgage on the following lands and premises, viz.:

"All and singular those certain parcels or tracts of land and premises, situate, lying, and being in the Town of Southampton in the County of Bruce, and being composed of part of land lying between Morpeth Street on the north, Wellington Street on the south, Albert Street on the west, and Victoria Street on the east, comprising lots numbers Twenty-one, Twenty-two, Twenty-three, and part of lot number Twenty on the east side of Albert Street, portions of lots numbers Twenty, Twenty-one, Twenty-two, and Twenty-three on the west side of Victoria Street, together with the lane lying between the said lots and the portions thereof, such part of land being more fully described in Deed from the S. Knechtel Wood Turning and Furniture Company Limited to the Southampton Furniture Company Limited of date the twenty-second day of September, 1906, and registered on the ninth day of October, 1906, as number 4124,

including all buildings that are or may be erected on the said lands with the plant, machinery, and equipment, now or hereafter to be installed in the said buildings, all of which it is hereby declared are to be considered real estate," which mortgage shall be made in pursuance of *The Short Forms of Mortgages Act* and shall provide, *inter alia*, for the payment of the Debentures and interest by the Company yearly as they and each of them respectively mature, and that in case of default in any such yearly payment by the Company and the making by the Corporation of any such payment so in default, or upon breach of the condition respecting the operation of such plant and the employment and payment of such employees or hands, a right of entry and sale or other disposition of the mortgaged property shall accrue to the Municipal Corporation of the Town of Southampton, such mortgage shall contain the usual covenants and provisos set out in *The Short Forms of Mortgages Act* and as collateral thereto the Company shall yearly submit a statement verified by Statutory Declaration of its Secretary or Treasurer or Chief Executive Officer certifying to the said Corporation of the Town of Southampton the due fulfilment of the said Agreement and all its terms and conditions by the said Company and also of the payment of all matured Debentures so guaranteed;

And whereas the total amount of the debt or engagement which this By-law is intended to create or of the undertaking which the Municipal Corporation of the Town of Southampton is intended to incur hereunder is the amount of the Guarantee by the Corporation of the Town of Southampton of the payment by the said Company of their said debentures to the amount of \$30,000.00 and the interest thereon at the rate of six per cent. per annum, payable yearly within twenty years from the issue thereof, such debentures to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years during such period;

And whereas the annual sum of \$2,615.54 will be required to pay off the said debentures and interest thereon in every year for the said period of twenty years;

And whereas the whole of the rateable property of the Municipality of the Town of Southampton, according to the last revised Assessment Roll amounts to \$751,890.00;

And whereas the amount of the existing debenture debt of the Corporation (exclusive of Local Improvement Debts and of debentures issued by the local Hydro Commission) amounts to the sum of \$43,729.10 and the existing Local Improvements debenture debt of the said Municipality, including property owners' share amounts to the sum of \$8,242.98, making an aggregate existing debenture debt of the said Municipality of \$51,972.08 (exclusive of Hydro Debentures) of which no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Town of Southampton enacts as follows:

1. The debentures of the Bell Furniture Company Limited to be issued for the purposes aforesaid to the amount of \$30,000.00 to mature and become due and payable in equal annual instalments in twenty years from the date of the issue thereof, and the interest thereon at the rate of six per cent. per annum payable yearly during the said period of twenty years be and the same are hereby guaranteed by the Corporation of the Town of Southampton.

2. The said Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and shall be in sums of not less than \$50.00 each and shall have coupons attached thereto for payment of interest at the rate of six per centum per annum which debentures and interest coupons shall be payable at the Canadian Bank of Commerce in the Town of Southampton, in the manner and for the amounts following, that is to say:

Year	Principal	Interest	Total
1.....	\$815 54	\$1,800 00	\$2,615 54
2.....	864 46	1,751 08	2,615 54
3.....	916 34	1,699 20	2,615 54
4.....	971 32	1,644 22	2,615 54
5.....	1,029 59	1,585 95	2,615 54
6.....	1,091 37	1,524 17	2,615 54
7.....	1,156 86	1,458 68	2,615 54
8.....	1,226 27	1,389 27	2,615 54
9.....	1,299 84	1,315 70	2,615 54
10.....	1,377 83	1,237 71	2,615 54
11.....	1,460 50	1,155 04	2,615 54
12.....	1,548 13	1,067 41	2,615 54
13.....	1,641 02	974 52	2,615 54
14.....	1,739 48	876 06	2,615 54
15.....	1,843 85	771 69	2,615 54
16.....	1,954 48	661 06	2,615 54
17.....	2,071 75	543 79	2,615 54
18.....	2,196 06	419 48	2,615 54
19.....	2,327 82	287 72	2,615 54
20.....	2,467 49	148 05	2,615 54
	<hr/>	<hr/>	<hr/>
	\$30,000 00	\$22,310 80	\$52,310 80

and shall be registerable as to principal at the option of the holder thereof.

3. The Guarantee hereby authorized to be given by the said Corporation of the Town of Southampton shall be endorsed upon each of the said Debentures, the aggregate amount of which shall not exceed the sum of \$30,000.00 and interest thereon, and such Guarantee shall be in the words or figures following, or to the like effect: The Corporation of the Town of Southampton hereby guarantees the payment of the within Debentures at maturity and does further guarantee payment of the interest coupons thereto attached as the same become respectively due and payable. This Guarantee is given to and for the benefit of the purchaser of this Debenture and of every person or persons, Company or Companies, Body or Bodies, Corporate, who may at any time hereafter be the holder of this Debenture. This Guarantee is given pursuant to By-law No. 862 of the Town of Southampton.

(Corporate Seal)

Mayor of the Town of Southampton.

4. The Mayor of the Town of Southampton is hereby authorized and empowered to sign the said Guarantee so endorsed upon the said Debentures on behalf of the said Corporation of the Town of Southampton, and the Clerk of the said Town of Southampton is hereby authorized and directed to attach the seal of the said Corporation of the Town of Southampton thereto, but no such Guarantee shall be executed, nor shall any such endorsement upon the said Debentures be signed or sealed until the said by-law has been approved by the vote of the qualified electors of the municipality and until the said Company shall have executed and delivered to the said Corporation of the Town of Southampton the Agreement hereinbefore mentioned to be entered into by the said Company, and executed, delivered and registered the First Mortgage hereinbefore mentioned.

5. The said debentures of the said Company shall, when the said guarantee of the said Corporation of the Town of Southampton is endorsed thereon, be placed in the Canadian Bank of Commerce in Southampton until the same are sold and the moneys realized from the sale of the said Debentures shall from time to time, as such Debentures are sold, be deposited in the said Bank to the credit of the said Company in a separate Bank Account and the said moneys shall be expended only for the purpose of purchasing material and the payment of wages.

6. The Municipal Council of the Town of Southampton is hereby authorized and empowered to apply to the Legislature of the Province of Ontario to obtain the approval of the said Legislature to this by-law.

7. In case of the failure of the said Company to pay the said debentures or any of them, or the interest thereon, as they respectively become due and payable and in case the Corporation of the Town of Southampton is called upon to pay the same, or any of them, then, and in any such case, there shall be raised and levied in each such year in which such default shall or may occur by a special rate sufficient therefor on all the rateable property in the said Municipality a sum sufficient to pay the amount in default and not exceeding the sum of \$2,615.54 being a sum sufficient to discharge each of the said installments of principal and interest accrued due on said Debentures, as the same respectively become due and payable, as hereinbefore set forth.

8. This By-law shall take effect and come into operation upon the final passing thereof and upon receiving the validation of the Legislature of the Province of Ontario of 1934.

Read a first and second time and considered in Committee of the whole the 14th day of December, 1933.

Dated and passed in open Council this third day of February, 1934.

(Signed) LAIRD MACAULAY,
Clerk.

(Signed) ROBERT McVITTIE,
Mayor.

BILL

An Act respecting the Town of
Southampton.

1st Reading

2nd Reading

3rd Reading

MR. HEIGHINGTON

(Private Bill)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Southampton.

.

.

MR. HEIGHINGTON

(PRIVATE BILL)

No. 36

1934

BILL

An Act respecting the Town of Southampton.

Preamble.

WHEREAS the corporation of the town of Southampton has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Southampton Act, 1934*.

By-law
No. 862
confirmed.

2. By-law number 862 of the corporation of the town of Southampton is hereby ratified and confirmed and declared to be legal, valid and binding on the said corporation and on the ratepayers thereof, and the said corporation and its officers are hereby empowered and authorized to do all such acts as are required to be done by them under the provisions of the said by-law.

Authority
to pass
by-laws to
complete
guarantee.


3. The corporation may pass such further by-laws which for their validity shall not require the assent of the electors of the said corporation qualified to vote on money by-laws, to complete the guarantee by the said corporation of the debentures of The Bell Furniture Co. Limited, to be issued to the extent of not more than \$30,000.



Approval of
Ontario
Municipal
Board
requisite.

4.—(1) Notwithstanding the provisions of sections 2 and 3 or of the by-laws and agreement therein confirmed or authorized no action shall be taken by the council of the corporation of the town of Southampton to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of The Bell Furniture Company Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

Inquiry by
Ontario
Municipal
Board.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose. 

Commence-
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW No. 862 OF THE MUNICIPAL CORPORATION
OF THE TOWN OF SOUTHAMPTON

A BY-LAW to grant aid to the Bell Furniture Company Limited (herein called the Company) by guaranteeing their debentures to the extent of \$30,000.00

Whereas the Company has carried on the business of Furniture Manufacturers in the Town of Southampton for a period of at least twenty-five years, employing a considerable number of employees;

And whereas the Company has applied to the Municipal Corporation of the Town of Southampton to aid their said industry by a Guarantee of the Debentures of the said Company which are to be issued and guaranteed to the extent of not more than \$30,000.00, payable with interest at the rate of six per cent. per annum in equal aggregate yearly installments of principal and interest for a period of 20 years;

And whereas the Municipal Council of the Town of Southampton has agreed to grant such aid, subject to certain terms, conditions, and provisos hereinafter mentioned and referred to;

And whereas the said Company in consideration of the said Guarantee agrees to enter into a written agreement under seal with the said Corporation that the proceeds of the sale of the said Debentures shall be deposited with the Canadian Bank of Commerce, Southampton, Ontario, or any other chartered bank, and that the same shall be paid out for the purpose of purchasing material and the payment of wages only; and shall provide monthly reports to the Municipal Council in respect to the said proceeds; and shall on or before the first day of February, 1934, commence its operations, employing a daily average of not less than seventy-five hands or employees (other than the officers of the Company) during the next twenty consecutive years, giving preference to the ratepayers of the Corporation at the usual wages which from time to time are paid to such employees in the district, provided, however, that the date for commencement of business and the daily average number to be employed may be modified or changed temporarily by the Municipal Council upon any valid reason for so doing being given to the Municipal Council of the Town of Southampton by the Company; and shall keep insured, during the currency of the debentures, the buildings, plant, machinery and equipment on the lands belonging to the Company in the sum of at least \$100,000.00 with loss, if any, payable to the Corporation of the Town of Southampton, as its interest or interests may appear; and shall pay or cause to be paid all taxes, rates or assessments that have been or may be imposed or levied in respect to the said lands or premises, whether municipal, provincial, or otherwise; and shall, in order to secure and indemnify the Corporation of the Town of Southampton against any loss or liability which it may suffer or incur or to which it may be put at any time by reason of such Guarantee, at the Company's expense, before the Guarantee hereby authorized being given or endorsed upon any of the Debentures, Execute, Deliver, and Register, to the Municipal Corporation of the Town of Southampton, a first mortgage on the following lands and premises, viz.:

"All and singular those certain parcels or tracts of land and premises, situate, lying, and being in the Town of Southampton in the County of Bruce, and being composed of part of land lying between Morpeth Street on the north, Wellington Street on the south, Albert Street on the west, and Victoria Street on the east, comprising lots numbers Twenty-one, Twenty-two, Twenty-three, and part of lot number Twenty on the east side of Albert Street, portions of lots numbers Twenty, Twenty-one, Twenty-two, and Twenty-three on the west side of Victoria Street, together with the lane lying between the said lots and the portions thereof, such part of land being more fully described in Deed from the S. Knechtel Wood Turning and Furniture Company Limited to the Southampton Furniture Company Limited of date the twenty-second day of September, 1906, and registered on the ninth day of October, 1906, as number 4124,

including all buildings that are or may be erected on the said lands with the plant, machinery, and equipment, now or hereafter to be installed in the said buildings, all of which it is hereby declared are to be considered real estate," which mortgage shall be made in pursuance of *The Short Forms of Mortgages Act* and shall provide, *inter alia*, for the payment of the Debentures and interest by the Company yearly as they and each of them respectively mature, and that in case of default in any such yearly payment by the Company and the making by the Corporation of any such payment so in default, or upon breach of the condition respecting the operation of such plant and the employment and payment of such employees or hands, a right of entry and sale or other disposition of the mortgaged property shall accrue to the Municipal Corporation of the Town of Southampton, such mortgage shall contain the usual covenants and provisos set out in *The Short Forms of Mortgages Act* and as collateral thereto the Company shall yearly submit a statement verified by Statutory Declaration of its Secretary or Treasurer or Chief Executive Officer certifying to the said Corporation of the Town of Southampton the due fulfilment of the said Agreement and all its terms and conditions by the said Company and also of the payment of all matured Debentures so guaranteed;

And whereas the total amount of the debt or engagement which this By-law is intended to create or of the undertaking which the Municipal Corporation of the Town of Southampton is intended to incur hereunder is the amount of the Guarantee by the Corporation of the Town of Southampton of the payment by the said Company of their said debentures to the amount of \$30,000.00 and the interest thereon at the rate of six per cent. per annum, payable yearly within twenty years from the issue thereof, such debentures to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years during such period;

And whereas the annual sum of \$2,615.54 will be required to pay off the said debentures and interest thereon in every year for the said period of twenty years;

And whereas the whole of the rateable property of the Municipality of the Town of Southampton, according to the last revised Assessment Roll amounts to \$751,890.00;

And whereas the amount of the existing debenture debt of the Corporation (exclusive of Local Improvement Debts and of debentures issued by the local Hydro Commission) amounts to the sum of \$43,729.10 and the existing Local Improvements debenture debt of the said Municipality, including property owners' share amounts to the sum of \$8,242.98, making an aggregate existing debenture debt of the said Municipality of \$51,972.08 (exclusive of Hydro Debentures) of which no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Town of Southampton enacts as follows:

1. The debentures of the Bell Furniture Company Limited to be issued for the purposes aforesaid to the amount of \$30,000.00 to mature and become due and payable in equal annual instalments in twenty years from the date of the issue thereof, and the interest thereon at the rate of six per cent. per annum payable yearly during the said period of twenty years be and the same are hereby guaranteed by the Corporation of the Town of Southampton.

2. The said Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and shall be in sums of not less than \$50.00 each and shall have coupons attached thereto for payment of interest at the rate of six per centum per annum which debentures and interest coupons shall be payable at the Canadian Bank of Commerce in the Town of Southampton, in the manner and for the amounts following, that is to say:

Year	Principal	Interest	Total
1.....	\$815 54	\$1,800 00	\$2,615 54
2.....	864 46	1,751 08	2,615 54
3.....	916 34	1,699 20	2,615 54
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7.....	1,156 86	1,458 68	2,615 54
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15.....	1,843 85	771 69	2,615 54
16.....	1,954 48	661 06	2,615 54
17.....	2,071 75	543 79	2,615 54
18.....	2,196 06	419 48	2,615 54
19.....	2,327 82	287 72	2,615 54
20.....	2,467 49	148 05	2,615 54
	<hr/> \$30,000 00	<hr/> \$22,310 80	<hr/> \$52,310 80

and shall be registerable as to principal at the option of the holder thereof.

3. The Guarantee hereby authorized to be given by the said Corporation of the Town of Southampton shall be endorsed upon each of the said Debentures, the aggregate amount of which shall not exceed the sum of \$30,000.00 and interest thereon, and such Guarantee shall be in the words or figures following, or to the like effect: The Corporation of the Town of Southampton hereby guarantees the payment of the within Debentures at maturity and does further guarantee payment of the interest coupons thereto attached as the same become respectively due and payable. This Guarantee is given to and for the benefit of the purchaser of this Debenture and of every person or persons, Company or Companies, Body or Bodies, Corporate, who may at any time hereafter be the holder of this Debenture. This Guarantee is given pursuant to By-law No. 862 of the Town of Southampton.

(Corporate Seal)

Mayor of the Town of Southampton.

4. The Mayor of the Town of Southampton is hereby authorized and empowered to sign the said Guarantee so endorsed upon the said Debentures on behalf of the said Corporation of the Town of Southampton, and the Clerk of the said Town of Southampton is hereby authorized and directed to attach the seal of the said Corporation of the Town of Southampton thereto, but no such Guarantee shall be executed, nor shall any such endorsement upon the said Debentures be signed or sealed until the said by-law has been approved by the vote of the qualified electors of the municipality and until the said Company shall have executed and delivered to the said Corporation of the Town of Southampton the Agreement hereinbefore mentioned to be entered into by the said Company, and executed, delivered and registered the First Mortgage hereinbefore mentioned.

5. The said debentures of the said Company shall, when the said guarantee of the said Corporation of the Town of Southampton is endorsed thereon, be placed in the Canadian Bank of Commerce in Southampton until the same are sold and the moneys realized from the sale of the said Debentures shall from time to time, as such Debentures are sold, be deposited in the said Bank to the credit of the said Company in a separate Bank Account and the said moneys shall be expended only for the purpose of purchasing material and the payment of wages.

6. The Municipal Council of the Town of Southampton is hereby authorized and empowered to apply to the Legislature of the Province of Ontario to obtain the approval of the said Legislature to this by-law.

7. In case of the failure of the said Company to pay the said debentures or any of them, or the interest thereon, as they respectively become due and payable and in case the Corporation of the Town of Southampton is called upon to pay the same, or any of them, then, and in any such case, there shall be raised and levied in each such year in which such default shall or may occur by a special rate sufficient therefor on all the rateable property in the said Municipality a sum sufficient to pay the amount in default and not exceeding the sum of \$2,615.54 being a sum sufficient to discharge each of the said installments of principal and interest accrued due on said Debentures, as the same respectively become due and payable, as hereinbefore set forth.

8. This By-law shall take effect and come into operation upon the final passing thereof and upon receiving the validation of the Legislature of the Province of Ontario of 1934.

Read a first and second time and considered in Committee of the whole the 14th day of December, 1933.

Dated and passed in open Council this third day of February, 1934.

(Signed) LAIRD MACAULAY,
Clerk.

(Signed) ROBERT McVITTIE,
Mayor.

BILL

An Act respecting the Town of
Southampton.

1st Reading

February 27th, 1934

2nd Reading

3rd Reading

MR. HEIGHINGTON

*(Reprinted as amended by the Private
Bills Committee)*

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Town of Southampton.

MR. HEIGHINGTON

BILL

An Act respecting the Town of Southampton.

Preamble.

WHEREAS the corporation of the town of Southampton has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Southampton Act, 1934*.

By-law No. 862 confirmed.

2. By-law number 862 of the corporation of the town of Southampton is hereby ratified and confirmed and declared to be legal, valid and binding on the said corporation and on the ratepayers thereof, and the said corporation and its officers are hereby empowered and authorized to do all such acts as are required to be done by them under the provisions of the said by-law.

Authority to pass by-laws to complete guarantee.

3. The corporation may pass such further by-laws which for their validity shall not require the assent of the electors of the said corporation qualified to vote on money by-laws, to complete the guarantee by the said corporation of the debentures of The Bell Furniture Co. Limited, to be issued to the extent of not more than \$30,000.

Approval of Ontario Municipal Board requisite.

4.—(1) Notwithstanding the provisions of sections 2 and 3 or of the by-laws and agreement therein confirmed or authorized no action shall be taken by the council of the corporation of the town of Southampton to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of The Bell Furniture Company Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose.

Inquiry by
Ontario
Municipal
Board.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

BY-LAW No. 862 OF THE MUNICIPAL CORPORATION
OF THE TOWN OF SOUTHAMPTON

A BY-LAW to grant aid to the Bell Furniture Company Limited (herein called the Company) by guaranteeing their debentures to the extent of \$30,000.00

Whereas the Company has carried on the business of Furniture Manufacturers in the Town of Southampton for a period of at least twenty-five years, employing a considerable number of employees;

And whereas the Company has applied to the Municipal Corporation of the Town of Southampton to aid their said industry by a Guarantee of the Debentures of the said Company which are to be issued and guaranteed to the extent of not more than \$30,000.00, payable with interest at the rate of six per cent, per annum in equal aggregate yearly installments of principal and interest for a period of 20 years;

And whereas the Municipal Council of the Town of Southampton has agreed to grant such aid, subject to certain terms, conditions, and provisos hereinafter mentioned and referred to;

And whereas the said Company in consideration of the said Guarantee agrees to enter into a written agreement under seal with the said Corporation that the proceeds of the sale of the said Debentures shall be deposited with the Canadian Bank of Commerce, Southampton, Ontario, or any other chartered bank, and that the same shall be paid out for the purpose of purchasing material and the payment of wages only; and shall provide monthly reports to the Municipal Council in respect to the said proceeds; and shall on or before the first day of February, 1934, commence its operations, employing a daily average of not less than seventy-five hands or employees (other than the officers of the Company) during the next twenty consecutive years, giving preference to the ratepayers of the Corporation at the usual wages which from time to time are paid to such employees in the district, provided, however, that the date for commencement of business and the daily average number to be employed may be modified or changed temporarily by the Municipal Council upon any valid reason for so doing being given to the Municipal Council of the Town of Southampton by the Company; and shall keep insured, during the currency of the debentures, the buildings, plant, machinery and equipment on the lands belonging to the Company in the sum of at least \$100,000.00 with loss, if any, payable to the Corporation of the Town of Southampton, as its interest or interests may appear; and shall pay or cause to be paid all taxes, rates or assessments that have been or may be imposed or levied in respect to the said lands or premises, whether municipal, provincial, or otherwise; and shall, in order to secure and indemnify the Corporation of the Town of Southampton against any loss or liability which it may suffer or incur or to which it may be put at any time by reason of such Guarantee, at the Company's expense, before the Guarantee hereby authorized being given or endorsed upon any of the Debentures, Execute, Deliver, and Register, to the Municipal Corporation of the Town of Southampton, a first mortgage on the following lands and premises, viz.:

"All and singular those certain parcels or tracts of land and premises, situate, lying, and being in the Town of Southampton in the County of Bruce, and being composed of part of land lying between Morpeth Street on the north, Wellington Street on the south, Albert Street on the west, and Victoria Street on the east, comprising lots numbers Twenty-one, Twenty-two, Twenty-three, and part of lot number Twenty on the east side of Albert Street, portions of lots numbers Twenty, Twenty-one, Twenty-two, and Twenty-three on the west side of Victoria Street, together with the lane lying between the said lots and the portions thereof, such part of land being more fully described in Deed from the S. Knechtel Wood Turning and Furniture Company Limited to the Southampton Furniture Company Limited of date the twenty-second day of September, 1906, and registered on the ninth day of October, 1906, as number 4124

including all buildings that are or may be erected on the said lands with the plant, machinery, and equipment, now or hereafter to be installed in the said buildings, all of which it is hereby declared are to be considered real estate," which mortgage shall be made in pursuance of *The Short Forms of Mortgages Act* and shall provide, *inter alia*, for the payment of the Debentures and interest by the Company yearly as they and each of them respectively mature, and that in case of default in any such yearly payment by the Company and the making by the Corporation of any such payment so in default, or upon breach of the condition respecting the operation of such plant and the employment and payment of such employees or hands, a right of entry and sale or other disposition of the mortgaged property shall accrue to the Municipal Corporation of the Town of Southampton, such mortgage shall contain the usual covenants and provisos set out in *The Short Forms of Mortgages Act* and as collateral thereto the Company shall yearly submit a statement verified by Statutory Declaration of its Secretary or Treasurer or Chief Executive Officer certifying to the said Corporation of the Town of Southampton the due fulfilment of the said Agreement and all its terms and conditions by the said Company and also of the payment of all matured Debentures so guaranteed;

And whereas the total amount of the debt or engagement which this By-law is intended to create or of the undertaking which the Municipal Corporation of the Town of Southampton is intended to incur hereunder is the amount of the Guarantee by the Corporation of the Town of Southampton of the payment by the said Company of their said debentures to the amount of \$30,000.00 and the interest thereon at the rate of six per cent. per annum, payable yearly within twenty years from the issue thereof, such debentures to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years during such period;

And whereas the annual sum of \$2,615.54 will be required to pay off the said debentures and interest thereon in every year for the said period of twenty years;

And whereas the whole of the rateable property of the Municipality of the Town of Southampton, according to the last revised Assessment Roll amounts to \$751,890.00;

And whereas the amount of the existing debenture debt of the Corporation (exclusive of Local Improvement Debts and of debentures issued by the local Hydro Commission) amounts to the sum of \$43,729.10 and the existing Local Improvements debenture debt of the said Municipality, including property owners' share amounts to the sum of \$8,242.98, making an aggregate existing debenture debt of the said Municipality of \$51,972.08 (exclusive of Hydro Debentures) of which no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Town of Southampton enacts as follows:

1. The debentures of the Bell Furniture Company Limited to be issued for the purposes aforesaid to the amount of \$30,000.00 to mature and become due and payable in equal annual instalments in twenty years from the date of the issue thereof, and the interest thereon at the rate of six per cent. per annum payable yearly during the said period of twenty years be and the same are hereby guaranteed by the Corporation of the Town of Southampton.

2. The said Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and shall be in sums of not less than \$50.00 each and shall have coupons attached thereto for payment of interest at the rate of six per centum per annum which debentures and interest coupons shall be payable at the Canadian Bank of Commerce in the Town of Southampton, in the manner and for the amounts following, that is to say:

Year	Principal	Interest	Total
1.....	\$815 54	\$1,800 00	\$2,615 54
2.....	864 46	1,751 08	2,615 54
3.....	916 34	1,699 20	2,615 54
4.....	971 32	1,644 22	2,615 54
5.....	1,029 59	1,585 95	2,615 54
6.....	1,091 37	1,524 17	2,615 54
7.....	1,156 86	1,458 68	2,615 54
8.....	1,226 27	1,389 27	2,615 54
9.....	1,299 84	1,315 70	2,615 54
10.....	1,377 83	1,237 71	2,615 54
11.....	1,460 50	1,155 04	2,615 54
12.....	1,548 13	1,067 41	2,615 54
13.....	1,641 02	974 52	2,615 54
14.....	1,739 48	876 06	2,615 54
15.....	1,843 85	771 69	2,615 54
16.....	1,954 48	661 06	2,615 54
17.....	2,071 75	543 79	2,615 54
18.....	2,196 06	419 48	2,615 54
19.....	2,327 82	287 72	2,615 54
20.....	2,467 49	148 05	2,615 54
	<u>\$30,000 00</u>	<u>\$22,310 80</u>	<u>\$52,310 80</u>

and shall be registerable as to principal at the option of the holder thereof.

3. The Guarantee hereby authorized to be given by the said Corporation of the Town of Southampton shall be endorsed upon each of the said Debentures, the aggregate amount of which shall not exceed the sum of \$30,000.00 and interest thereon, and such Guarantee shall be in the words or figures following, or to the like effect: The Corporation of the Town of Southampton hereby guarantees the payment of the within Debentures at maturity and does further guarantee payment of the interest coupons thereto attached as the same become respectively due and payable. This Guarantee is given to and for the benefit of the purchaser of this Debenture and of every person or persons, Company or Companies, Body or Bodies, Corporate, who may at any time hereafter be the holder of this Debenture. This Guarantee is given pursuant to By-law No. 862 of the Town of Southampton.

(Corporate Seal)

Mayor of the Town of Southampton.

4. The Mayor of the Town of Southampton is hereby authorized and empowered to sign the said Guarantee so endorsed upon the said Debentures on behalf of the said Corporation of the Town of Southampton, and the Clerk of the said Town of Southampton is hereby authorized and directed to attach the seal of the said Corporation of the Town of Southampton thereto, but no such Guarantee shall be executed, nor shall any such endorsement upon the said Debentures be signed or sealed until the said by-law has been approved by the vote of the qualified electors of the municipality and until the said Company shall have executed and delivered to the said Corporation of the Town of Southampton the Agreement hereinbefore mentioned to be entered into by the said Company, and executed, delivered and registered the First Mortgage hereinbefore mentioned.

5. The said debentures of the said Company shall, when the said guarantee of the said Corporation of the Town of Southampton is endorsed thereon, be placed in the Canadian Bank of Commerce in Southampton until the same are sold and the moneys realized from the sale of the said Debentures shall from time to time, as such Debentures are sold, be deposited in the said Bank to the credit of the said Company in a separate Bank Account and the said moneys shall be expended only for the purpose of purchasing material and the payment of wages.

6. The Municipal Council of the Town of Southampton is hereby authorized and empowered to apply to the Legislature of the Province of Ontario to obtain the approval of the said Legislature to this by-law.

7. In case of the failure of the said Company to pay the said debentures or any of them, or the interest thereon, as they respectively become due and payable and in case the Corporation of the Town of Southampton is called upon to pay the same, or any of them, then, and in any such case, there shall be raised and levied in each such year in which such default shall or may occur by a special rate sufficient therefor on all the rateable property in the said Municipality a sum sufficient to pay the amount in default and not exceeding the sum of \$2,615.54 being a sum sufficient to discharge each of the said installments of principal and interest accrued due on said Debentures, as the same respectively become due and payable, as hereinbefore set forth.

8. This By-law shall take effect and come into operation upon the final passing thereof and upon receiving the validation of the Legislature of the Province of Ontario of 1934.

Read a first and second time and considered in Committee of the whole the 14th day of December, 1933.

Dated and passed in open Council this third day of February, 1934.

(Signed) LAIRD MACAULAY,
Clerk.

(Signed) ROBERT MCVITTIE,
Mayor.

BILL

An Act respecting the Town of
Southampton.

1st Reading

February 27th, 1934

2nd Reading

March 16th, 1934

3rd Reading

March 21st, 1934

MR. HEIGHINGTON

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Chatham.

MR. CALDER

(PRIVATE BILL)

BILL

An Act respecting the City of Chatham.

Preamble.

WHEREAS the corporation of the city of Chatham has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Chatham Act, 1934*.

Income and
business
assessment
roll.

Rev. Stat.,
c. 238.

2.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may by by-law provide for taking the assessment of income and business separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Procedure.

(2) Any such by-law shall provide for the time when the roll for such income and business assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Rev. Stat.,
c. 238.

Inclusion
of income
and business
assessment
with revised
assessment
roll.

(3) The assessment of income and business so made and completed in any year, whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income and business on which the rates of taxation upon income and business for such year shall be levied by the council and the assessment roll thereof with the assessment roll of real property and other assessments made

for the same year shall when both thereof are finally revised together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act, The Assessment Act* and any other general or special Act.

Rev. Stat.,
cc. 233, 238.

Time for
payment of
income and
business tax.

(4) The said council may provide that taxation upon income and business assessments may be made payable at times different from those at which other taxation is made payable.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the City of Chatham.

1st Reading

2nd Reading

3rd Reading

MR. CALDER

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Chatham.

MR. CALDER

No. 38

1934

BILL

An Act respecting the City of Chatham.

Preamble.

WHEREAS the corporation of the city of Chatham has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Chatham Act, 1934*.

Income and
business
assessment
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Procedure.

Rev. Stat.,
c. 238.

(2) Any such by-law shall provide for the time when the roll for such income and business assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Inclusion
of income
and business
assessment
with revised
assessment
roll.

(3) The assessment of income and business so made and completed in any year, whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income and business on which the rates of taxation upon income and business for such year shall be levied by the council and the assessment roll thereof with the assessment roll of real property and other assessments made

for the same year shall when both thereof are finally revised together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act, The Assessment Act* and any other general or special Act.

Rev. Stat.,
cc. 233, 238.

(4) The said council may provide that taxation upon income and business assessments may be made payable at times different from those at which other taxation is made payable.

Time for
payment of
income and
business tax.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-
ment of Act.

BILL

An Act respecting the City of Chatham.

1st Reading

February 27th, 1934

2nd Reading

March 7th, 1934

3rd Reading

March 16th, 1934

MR. CALDER

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Ottawa.

MR. ELLIS

(PRIVATE BILL)

BILL

An Act respecting the City of Ottawa.

Preamble.

WHEREAS the corporation of the city of Ottawa has, by its petition, prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1934*.

Authority
to issue
debentures
for certain
purposes.

2.—(1) The corporation of the city of Ottawa may provide, by by-law, for an issue or issues of debentures, payable within ten years from their date, and not exceeding the following amounts for the purposes specified:

- (a) \$150,000, to provide for the repavement of the track allowance of the Ottawa Electric Railway Company on certain streets;
- (b) \$15,000, to provide for the discount on the sale of the debentures authorized by by-laws numbers 7570, 7594, 7574, 7590, 7592, 7614, 7579, 7577, 7578, 7580, 7631 of the corporation;
- (c) \$45,000, to provide for the purchase of fire engines and fire protection apparatus and equipment;
- (d) \$90,000, to provide for constructing and widening the pavements on the following streets: Arlington Street between Bronson Street and Bell Street; St. Patrick Street between Sussex Street and Dalhousie Street; Metcalfe Street between Lisgar Street and McLeod Street; and Kent Street between Somerset Street and Catherine Street.

Assessment
for certain
pavements.

(2) One-half of the cost of each pavement authorized by clause *d* of subsection 1 shall be specially assessed upon the

Rev. Stat.,
c. 235.

lots abutting directly on such work, in the manner provided by section 20 of *The Local Improvement Act*, and with like authority and in like manner as if such works were works authorized by the said Act.

Authority
to issue
debentures
for other
certain
purposes.

3.—(1) The said corporation may provide by by-law for an issue, or issues, of debentures payable within twenty years from their date and not exceeding the following amounts for the purposes specified:

(a) \$550,000 to provide for the construction of trunk sewers;

(b) \$115,000 to provide for the corporation's share of the cost of constructing new bridges carrying Sussex Street across the Rideau River;

(c) \$10,000 to provide for the construction and reconstruction of sewer catch basins.

Proviso
as to
bridge
debentures.

(2) The authority conferred by clause *b* of subsection 1 shall not be exercised, unless and until the Government of Canada and the Government of Ontario, or either of them, have agreed in writing with the said corporation to defray not less than one-half of the cost of the construction of the said bridges.

Assent of
electors not
requisite.

4.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2 or 3, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat.,
c. 233.

Rate of
debenture
interest.

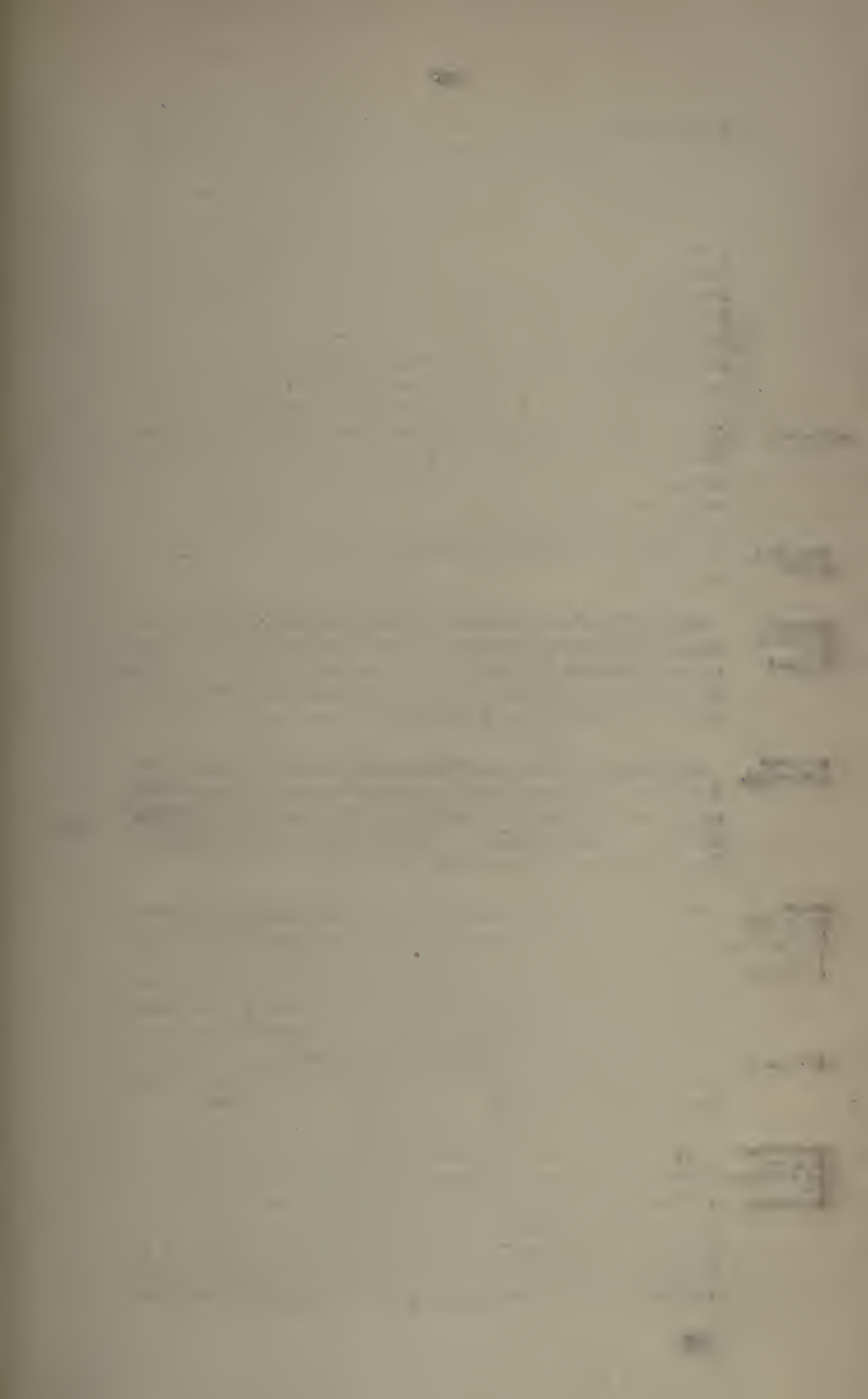
(2) Debentures issued under the provisions of any such by-law shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Irregularities
not to
invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Tax sales
and
conveyances
confirmed.

5.—(1) All sales of land within the city of Ottawa made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of Ottawa or its treasurer for arrears of taxes in respect to the land so sold, are



hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Proviso.

Rev. Stat.,
c. 158.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Gratuity
authorized.

6. Notwithstanding anything to the contrary contained in *The Municipal Act*, the said corporation may grant out of its current revenues for the year 1934, to Margaret Wilson, widow of the late George H. Wilson, in his lifetime Secretary of the Works Department, a gratuity of \$1,500.

Fixed
assessment
for Tennis
and Bowling
Club
continued.

7. The council of the said corporation may, by by-law, which shall not require for its validity the assent of the electors qualified to vote on money by-laws, extend for a period of five years, from and including the year 1934, the fixed assessment upon the lands and buildings of the Ottawa Tennis and Bowling Association Limited, which the said council was authorized by section 14 of *The City of Ottawa Act, 1923*, to grant the said Association for a period not exceeding ten years from and including the year 1924.

1923, c. 76.

Reduction
of taxes
on dwellings
for
vacancies.

8. The council of the said corporation may provide by by-law that the owner of any dwelling erected during the year 1934 who is assessed and taxed in respect thereof in 1934 or 1935, shall be entitled to apply to the court of revision for a remission of such part of the taxes for such years payable by him, in respect of such dwelling, as shall be proportionate to the period of time during which such dwelling has remained

vacant during such years; provided that no such remission shall be granted in respect of school taxes, water rates or local improvement rates, nor in respect of any period of vacancy of less than three months.

Authority
to license
non-
residents
of Ontario
who sell
goods in
Ottawa.

9.—(1) The council of the said corporation may provide by by-law for licensing all persons, tradesmen, contractors, and salesmen, who being resident outside of Ontario and having no fixed place of business within the city of Ottawa, but who canvass for orders, carry on business, or sell, or offer for sale, goods, wares or merchandise in the said city, and for requiring all such persons, tradesmen, contractors and salesmen to take out a license under the provisions of such by-law and to pay to the said corporation such license fees as may be fixed by such by-law, and to provide that every such person as shall fail to comply with the provisions of such by-law shall be subject to the penalties established by section 508 of *The Municipal Act*, and may be prosecuted for such offence as provided by the said Act.

Rev. Stat.,
c. 233.

Limitation
of
application
of
authority.

(2) The provisions of any by-law passed under the authority of subsection 1 shall not apply to any person who is licensed as a transient trader or a hawker or pedlar under any by-law of the said corporation or of the board of commissioners of police of the said city.

Commence-
ment of Act.

10. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1934.

BILL

An Act respecting the City of Ottawa.

1st Reading

2nd Reading

3rd Reading

MR. ELLIS

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the City of Ottawa.

MR. ELLIS

No. 39

1934

BILL

An Act respecting the City of Ottawa.

Preamble.

WHEREAS the corporation of the city of Ottawa has, by its petition, prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1934*.

Authority
to issue
debentures
for certain
purposes.

2.—(1) The corporation of the city of Ottawa may provide, by by-law, for an issue or issues of debentures, payable within ten years from their date, and not exceeding the following amounts for the purposes specified:

- (a) \$150,000, to provide for the repavement of the track allowance of the Ottawa Electric Railway Company on certain streets;
- (b) \$15,000, to provide for the discount on the sale of the debentures authorized by by-laws numbers 7570, 7594, 7574, 7590, 7592, 7614, 7579, 7577, 7578, 7580, 7631 of the corporation;
- (c) \$45,000, to provide for the purchase of fire engines and fire protection apparatus and equipment;
- (d) \$90,000, to provide for constructing and widening the pavements on the following streets: Arlington Street between Bronson Street and Bell Street; St. Patrick Street between Sussex Street and Dalhousie Street; Metcalfe Street between Lisgar Street and McLeod Street; and Kent Street between Somerset Street and Catherine Street.

Assessment
for certain
pavements.

(2) One-half of the cost of each pavement authorized by clause *d* of subsection 1 shall be specially assessed upon the

lots abutting directly on such work, in the manner provided by section 20 of *The Local Improvement Act*, and with like authority and in like manner as if such works were works authorized by the said Act. Rev. Stat., c. 235.

3.—(1) The said corporation may provide by by-law for an issue, or issues, of debentures payable within twenty years from their date and not exceeding the following amounts for the purposes specified: Authority to issue debentures for other certain purposes.

- (a) \$550,000 to provide for the construction of trunk sewers;
- (b) \$115,000 to provide for the corporation's share of the cost of constructing new bridges carrying Sussex Street across the Rideau River;
- (c) \$10,000 to provide for the construction and reconstruction of sewer catch basins.

(2) The authority conferred by clause *b* of subsection 1 shall not be exercised, unless and until the Government of Canada and the Government of Ontario, or either of them, have agreed in writing with the said corporation to defray not less than one-half of the cost of the construction of the said bridges. Proviso as to bridge debentures.

4.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2 or 3, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws. Assent of electors not requisite.

(2) Debentures issued under the provisions of any such by-law shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*. Rate of debenture interest.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon. Irregularities not to invalidate.

5.—(1) All sales of land within the city of Ottawa made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of Ottawa or its treasurer for arrears of taxes in respect to the land so sold, are Tax sales and conveyances confirmed.

hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Proviso.

Rev. Stat.,
c. 158.

Pending
litigation
not
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Gratuity
authorized.

6. Notwithstanding anything to the contrary contained in *The Municipal Act*, the said corporation may grant out of its current revenues for the year 1934, to Margaret Wilson, widow of the late George H. Wilson, in his lifetime Secretary of the Works Department, a gratuity of \$1,500.

Fixed
assessment
for Tennis
and Bowling
Club
continued.

1923, c. 76.

7. The council of the said corporation may, by by-law, which shall not require for its validity the assent of the electors qualified to vote on money by-laws, extend for a period of five years, from and including the year 1934, the fixed assessment upon the lands and buildings of the Ottawa Tennis and Bowling Association Limited, which the said council was authorized by section 14 of *The City of Ottawa Act, 1923*, to grant the said Association for a period not exceeding ten years from and including the year 1924.

Reduction
of taxes
on dwellings
for
vacancies.

8. The council of the said corporation may provide by by-law that the owner of any dwelling erected during the year 1934 who is assessed and taxed in respect thereof in 1934 or 1935, shall be entitled to apply to the court of revision for a remission of such part of the taxes for such years payable by him, in respect of such dwelling, as shall be proportionate to the period of time during which such dwelling has remained

vacant during such years; provided that no such remission shall be granted in respect of school taxes, water rates or local improvement rates, nor in respect of any period of vacancy of less than three months.

9.—(1) The council of the said corporation may provide by by-law for licensing all persons, tradesmen, contractors, and salesmen, who being resident outside of Ontario and having no fixed place of business within the city of Ottawa, but who canvass for orders, carry on business, or sell, or offer for sale, goods, wares or merchandise in the said city, and for requiring all such persons, tradesmen, contractors and salesmen to take out a license under the provisions of such by-law and to pay to the said corporation such license fees as may be fixed by such by-law, and to provide that every such person as shall fail to comply with the provisions of such by-law shall be subject to the penalties established by section 508 of *The Municipal Act*, and may be prosecuted for such offence as provided by the said Act.

Authority
to license
non-
residents
of Ontario
who sell
goods in
Ottawa.

Rev. Stat.,
c. 233.

(2) The provisions of any by-law passed under the authority of subsection 1 shall not apply to any person who is licensed as a transient trader or a hawker or pedlar under any by-law of the said corporation or of the board of commissioners of police of the said city.

Limitation
of
application
of
authority.

10. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1934.

Commence-
ment of Act.

BILL

An Act respecting the City of Ottawa.

1st Reading

February 27th, 1934

2nd Reading

March 16th, 1934

3rd Reading

March 21st, 1934

MR. ELLIS

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Cornwall.

MR. McNAUGHTON

(PRIVATE BILL)

No. 40

1934

BILL

An Act respecting the Township of Cornwall.

Preamble.

WHEREAS the corporation of the township of Cornwall has by its petition prayed for special legislation to ratify and confirm its by-law number 1278B providing for the granting of a fixed assessment to Courtaulds (Canada) Limited and the agreement dated the 5th day of March, 1934, made between the said corporation and the said company relating to the said fixed assessment; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Cornwall Act, 1934*.

By-law
No. 1278B
and
agreement
with
Courtaulds
(Canada)
Limited
confirmed.

2. By-law number 1278B of the corporation of the township of Cornwall passed on the 5th day of March, 1934, and the agreement dated the 5th day of March, 1934, made between the said corporation and Courtaulds (Canada) Limited, both relating to the granting of a fixed assessment to the said company are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the said company and its successors and assigns.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW No. 1278B OF THE TOWNSHIP OF CORNWALL

IN THE COUNTY OF STORMONT, FOR THE YEAR 1934

A BY-LAW fixing the assessment upon the property of Courtaulds (Canada) Limited in the Township of Cornwall for a period of Ten Years and authorizing the execution of an agreement between said Company and said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an agreement dated the 5th day of March, 1934, to fix the assessment and taxes on all real estate, buildings, machinery and plant of Courtaulds (Canada) Limited for a period of Ten Years as set out in said agreement and upon the terms, provisos and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the Corporate Seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall, and it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said agreement with said Courtaulds (Canada) Limited bearing date the 5th day of March, A.D. 1934.

And it is hereby further enacted that the said agreement with said Courtaulds (Canada) Limited shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf.

Passed in open Council, signed and sealed this Fifth day of March, A.D. 1934.

V. A. McDONALD,
Clerk.

J. L. McDONALD,
Reeve.

This Agreement made in duplicate the 5th day of March, A.D. 1934.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, in the County of Stormont, and Province of Ontario, and Dominion of Canada, hereinafter called the Corporation

"of the first part"

—and—

COURTAULDS (CANADA) LIMITED, a body corporate having its Head Office at the Township of Cornwall, in the County of Stormont, hereinafter called the Company

"of the second part."

Whereas the Company has applied to the Corporation for a fixed assessment in respect of the lands and premises hereinafter described for all purposes including business assessment (but save and except and excluding taxation for school purposes and local improvement rates) and it is expedient to grant the same upon the terms and conditions hereinafter set forth.

Now therefore this agreement witnesseth that in consideration of the premises and of the covenants herein expressed the parties hereto covenant and agree each with the other as follows, that is to say:

1. The Company, during the whole period of the term of the fixed assessment herein granted namely, from the First day of January, 1934, to the Thirty-first day of December, 1943, will continuously carry on its business manufacturing rayon yarn, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business or as may be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company.

2. The Corporation, subject to the limitations in this agreement hereinafter expressed, agrees that the assessment of all the lands and premises described in paragraph nine, together with all buildings, residences, plant, machinery and fixtures which may hereafter be erected thereon and all other assessable property used thereon in connection with the business of the Company shall be fixed for all purposes including business assessment (but save and except and excluding taxation for school purposes and local improvement rates at the sum of \$800,000.00 for each of the years 1934 to 1943, both inclusive and that save and subject as aforesaid the said lands and premises, buildings, residences, plant, machinery, fixtures and all other assessable property used or to be used thereon in connection with the said business shall be exempt for the years 1934 to 1943 both inclusive, from further taxation by the Corporation; provided that notwithstanding the said fixed assessment and partial exemption from taxation granted to the Company by this agreement, the said lands and premises shall be annually assessed during the said period of ten years in the same manner as if this agreement had not been made and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term but the said taxes including business taxes (save and except and excluding taxation for school purposes and local improvement rates shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisos and conditions of this agreement or any of them and in the event of such default the whole of the taxes for the year in which such default occurs shall immediately become due and payable and may be collected by the Corporation, as if this agreement had not been made but the Company shall not be subject to any other penalty in respect of such default.

3. The Company during the said period, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business and except for such periods of shutting down as shall be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company, will employ continuously in its business in the Township of Cornwall an average of at least One Thousand Employees, divided approximately equally into male and female employees, and will pay out in wages a minimum weekly sum of Twenty Thousand Dollars, subject however, to a proportionate reduction of any period in which the said business is not operating by reason of cessation, strikes or other circumstances beyond the reasonable control of the Company aforesaid.

4. The Company will provide and maintain at its own expense all necessary water and sewerage facilities and its own fire protection.

5. The Company will furnish to the Corporation free of charge, all surplus cinders made on its premises, over the requirements of the Company, as the same may be required by the Corporation.

6. The Company will provide and maintain at its own expense all roads and streets required for its purposes on its property.

7. The Company, at all times during the said period will insure and keep insured its factory and buildings, plant, machinery and equipment to an amount approved in writing by the Corporation and if at any time

during the said period the said factory and buildings, plant, machinery and equipment shall be wholly or partially destroyed by fire or other agency then, and in such event and as often as the same may happen the Company, if it desires and is to continue to receive the benefits of this agreement shall proceed at once to rebuild and restore or repair the said factory and buildings, plant, machinery and equipment so as to make the same available at the earliest reasonable time for the purposes of its business on its said property and in the event of default of the Company to so rebuild, repair and restore, the Company shall cease to be entitled to the exemption herein provided but shall not be subject to any other penalty in respect thereof.

8. If the Company ceases to carry on its business upon the said lands and premises for any cause or to any extent prior to the said 31st day of December, 1943, the Company shall not be entitled to any fixed assessment or partial exemption from taxation under this agreement and the benefits to the Company hereunder shall cease and be determined.

9. The lands and premises of the Company affected by and receiving the benefit of this agreement are described as follows:—*Firstly:* All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Cornwall, in the County of Stormont, and being composed of Lot Number Four in the First Concession of the said Township of Cornwall, save and except thereout the Canadian National Railway right-of-way and King's Highway No. 2.

Secondly: All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Cornwall, in the County of Stormont, and being composed of Lots Numbers One, Two and Three and Lots Numbers Two Hundred to Two Hundred and Sixteen both inclusive, as laid out on a Map or Plan of Villeneuve, laid out on part of the West half of Lot Number Three in the First Concession of the said Township of Cornwall.

10. In the event of the Company letting or assigning any portion of its said lands and premises or permitting any person, firm or corporation to occupy any portion of the said lands and premises, then upon occupation thereof by any person, firm or corporation other than the Company such portion shall be excluded during the term of its occupation by such person, firm or corporation from the benefits of this agreement and such portion while so occupied and such person, firm or corporation while so occupying shall be subject to all the incidents of assessment pursuant to the provisions of *The Assessment Act* and such letting, assignment or occupation shall not operate to reduce or in any way affect the amount of the fixed assessment and partial exemption enjoyed by the Company hereunder.

11. If at any time hereafter the Corporation desires to pass a by-law granting a bonus or fixed assessment in respect of a branch of the industry the same as or of a nature similar to the one to be carried on by the Company, the Company as evidenced by its execution of these presents hereby consents to the granting of such bonus or fixed assessment and no further or other consent requisite under *The Bonus Limitation Act*, the *Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the Company agrees to execute such consent if required by the Corporation.

12. The Company agrees that the auditors of the Corporation or any person or persons appointed by resolution of the Council for that purpose shall at any time during each year have free and full access to the necessary books of the Company for the purpose of ascertaining the number of employees continuously employed and the amount paid out in wages by the Company during the year ending on the then preceding 31st day of December.

13. The Company agrees to pay all expenses which may be incurred by the Corporation in connection with the granting of the fixed assessment and of any legislative ratification that may be required or obtained.

14. This agreement shall enure to the benefit of and be binding upon

the successors and assigns of the parties hereto but any assignment of this agreement by the Company shall not be of any force or effect or of any benefit to its assignee until the same is consented to by by-law of the Corporation.

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto set their hands and affixed the Corporate Seal and said Courtaulds (Canada) Limited have also set the hands of their proper Officers thereunto lawfully authorized and have affixed their Corporate Seal.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE TOWNSHIP OF CORNWALL.

(Sgd.) G. A. PHILLIPS.
[SEAL]

(Sgd.) J. L. McDONALD,
Reeve.

As to execution by the Corporation
of the Township of Cornwall.

(Sgd.) V. A. McDONALD,
Clerk.

COURTAULDS (CANADA) LIMITED.

(Sgd.) G. W. SCARTH.
[SEAL]

(Sgd.) N. LINNETT,
General Manager.

(Sgd.) W. JONES,
Secretary-Treasurer.

BILL

An Act respecting the Township of
Cornwall.

1st Reading

2nd Reading

3rd Reading

MR. MCNAUGHTON

(*Private Bill*)

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Cornwall.

MR. MCNAUGHTON

No. 40

1934

BILL

An Act respecting the Township of Cornwall.

Preamble.

WHEREAS the corporation of the township of Cornwall has by its petition prayed for special legislation to ratify and confirm its by-law number 1278B providing for the granting of a fixed assessment to Courtaulds (Canada) Limited and the agreement dated the 5th day of March, 1934, made between the said corporation and the said company relating to the said fixed assessment; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Cornwall Act, 1934.*

By-law
No. 1278B
and
agreement
with
Courtaulds
(Canada)
Limited
confirmed.

2. By-law number 1278B of the corporation of the township of Cornwall passed on the 5th day of March, 1934, and the agreement dated the 5th day of March, 1934, made between the said corporation and Courtaulds (Canada) Limited, both relating to the granting of a fixed assessment to the said company are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the said company and its successors and assigns.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW No. 1278B OF THE TOWNSHIP OF CORNWALL

IN THE COUNTY OF STORMONT, FOR THE YEAR 1934

A BY-LAW fixing the assessment upon the property of Courtaulds (Canada) Limited in the Township of Cornwall for a period of Ten Years and authorizing the execution of an agreement between said Company and said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an agreement dated the 5th day of March, 1934, to fix the assessment and taxes on all real estate, buildings, machinery and plant of Courtaulds (Canada) Limited for a period of Ten Years as set out in said agreement and upon the terms, provisoes and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the Corporate Seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall, and it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said agreement with said Courtaulds (Canada) Limited bearing date the 5th day of March, A.D. 1934.

And it is hereby further enacted that the said agreement with said Courtaulds (Canada) Limited shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf.

Passed in open Council, signed and sealed this Fifth day of March, A.D. 1934.

V. A. McDONALD,
Clerk.

J. L. McDONALD,
Reeve.

This Agreement made in duplicate the 5th day of March, A.D. 1934.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, in the County of Stormont, and Province of Ontario, and Dominion of Canada, hereinafter called the Corporation

"of the first part"

—and—

COURTAULDS (CANADA) LIMITED, a body corporate having its Head Office at the Township of Cornwall, in the County of Stormont, hereinafter called the Company

"of the second part."

Whereas the Company has applied to the Corporation for a fixed assessment in respect of the lands and premises hereinafter described for all purposes including business assessment (but save and except and excluding taxation for school purposes and local improvement rates) and it is expedient to grant the same upon the terms and conditions hereinafter set forth.

Now therefore this agreement witnesseth that in consideration of the premises and of the covenants herein expressed the parties hereto covenant and agree each with the other as follows, that is to say:

1. The Company, during the whole period of the term of the fixed assessment herein granted namely, from the First day of January, 1934, to the Thirty-first day of December, 1943, will continuously carry on its business manufacturing rayon yarn, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business or as may be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company.

2. The Corporation, subject to the limitations in this agreement hereinafter expressed, agrees that the assessment of all the lands and premises described in paragraph nine, together with all buildings, residences, plant, machinery and fixtures which may hereafter be erected thereon and all other assessable property used thereon in connection with the business of the Company shall be fixed for all purposes including business assessment (but save and except and excluding taxation for school purposes and local improvement rates at the sum of \$800,000.00 for each of the years 1934 to 1943, both inclusive and that save and subject as aforesaid the said lands and premises, buildings, residences, plant, machinery, fixtures and all other assessable property used or to be used thereon in connection with the said business shall be exempt for the years 1934 to 1943 both inclusive, from further taxation by the Corporation; provided that notwithstanding the said fixed assessment and partial exemption from taxation granted to the Company by this agreement, the said lands and premises shall be annually assessed during the said period of ten years in the same manner as if this agreement had not been made and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term but the said taxes including business taxes (save and except and excluding taxation for school purposes and local improvement rates shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisos and conditions of this agreement or any of them and in the event of such default the whole of the taxes for the year in which such default occurs shall immediately become due and payable and may be collected by the Corporation, as if this agreement had not been made but the Company shall not be subject to any other penalty in respect of such default.

3. The Company during the said period, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business and except for such periods of shutting down as shall be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company, will employ continuously in its business in the Township of Cornwall an average of at least One Thousand Employees, divided approximately equally into male and female employees, and will pay out in wages a minimum weekly sum of Twenty Thousand Dollars, subject however, to a proportionate reduction of any period in which the said business is not operating by reason of cessation, strikes or other circumstances beyond the reasonable control of the Company aforesaid.

4. The Company will provide and maintain at its own expense all necessary water and sewerage facilities and its own fire protection.

5. The Company will furnish to the Corporation free of charge, all surplus cinders made on its premises, over the requirements of the Company, as the same may be required by the Corporation.

6. The Company will provide and maintain at its own expense all roads and streets required for its purposes on its property.

7. The Company, at all times during the said period will insure and keep insured its factory and buildings, plant, machinery and equipment to an amount approved in writing by the Corporation and if at any time

during the said period the said factory and buildings, plant, machinery and equipment shall be wholly or partially destroyed by fire or other agency then, and in such event and as often as the same may happen the Company, if it desires and is to continue to receive the benefits of this agreement shall proceed at once to rebuild and restore or repair the said factory and buildings, plant, machinery and equipment so as to make the same available at the earliest reasonable time for the purposes of its business on its said property and in the event of default of the Company to so rebuild, repair and restore, the Company shall cease to be entitled to the exemption herein provided but shall not be subject to any other penalty in respect thereof.

8. If the Company ceases to carry on its business upon the said lands and premises for any cause or to any extent prior to the said 31st day of December, 1943, the Company shall not be entitled to any fixed assessment or partial exemption from taxation under this agreement and the benefits to the Company hereunder shall cease and be determined.

9. The lands and premises of the Company affected by and receiving the benefit of this agreement are described as follows:—*Firstly:* All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Cornwall, in the County of Stormont, and being composed of Lot Number Four in the First Concession of the said Township of Cornwall, save and except thereout the Canadian National Railway right-of-way and King's Highway No. 2.

Secondly: All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Cornwall, in the County of Stormont, and being composed of Lots Numbers One, Two and Three and Lots Numbers Two Hundred to Two Hundred and Sixteen both inclusive, as laid out on a Map or Plan of Villeneuve, laid out on part of the West half of Lot Number Three in the First Concession of the said Township of Cornwall.

10. In the event of the Company letting or assigning any portion of its said lands and premises or permitting any person, firm or corporation to occupy any portion of the said lands and premises, then upon occupation thereof by any person, firm or corporation other than the Company such portion shall be excluded during the term of its occupation by such person, firm or corporation from the benefits of this agreement and such portion while so occupied and such person, firm or corporation while so occupying shall be subject to all the incidents of assessment pursuant to the provisions of *The Assessment Act* and such letting, assignment or occupation shall not operate to reduce or in any way affect the amount of the fixed assessment and partial exemption enjoyed by the Company hereunder.

11. If at any time hereafter the Corporation desires to pass a by-law granting a bonus or fixed assessment in respect of a branch of the industry the same as or of a nature similar to the one to be carried on by the Company, the Company as evidenced by its execution of these presents hereby consents to the granting of such bonus or fixed assessment and no further or other consent requisite under *The Bonus Limitation Act*, the *Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the Company agrees to execute such consent required by the Corporation.

12. The Company agrees that the auditors of the Corporation or any person or persons appointed by resolution of the Council for that purpose shall at any time during each year have free and full access to the necessary books of the Company for the purpose of ascertaining the number of employees continuously employed and the amount paid out in wages by the Company during the year ending on the then preceding 31st day of December.

13. The Company agrees to pay all expenses which may be incurred by the Corporation in connection with the granting of the fixed assessment and of any legislative ratification that may be required or obtained.

14. This agreement shall enure to the benefit of and be binding upon

the successors and assigns of the parties hereto but any assignment of this agreement by the Company shall not be of any force or effect or of any benefit to its assignee until the same is consented to by by-law of the Corporation.

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto set their hands and affixed the Corporate Seal and said Courtaulds (Canada) Limited have also set the hands of their proper Officers thereunto lawfully authorized and have affixed their Corporate Seal.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE TOWNSHIP OF CORNWALL.

(Sgd.) G. A. PHILLIPS.
[SEAL]

(Sgd.) J. L. McDONALD,
Reeve.

As to execution by the Corporation
of the Township of Cornwall.

(Sgd.) V. A. McDONALD,
Clerk.

COURTAULDS (CANADA) LIMITED.

(Sgd.) G. W. SCARTH.
[SEAL]

(Sgd.) N. LINNETT,
General Manager.

(Sgd.) W. JONES,
Secretary-Treasurer.

BILL

An Act respecting the Township of
Cornwall.

1st Reading

February 27th, 1934

2nd Reading

March 16th, 1934

3rd Reading

March 21st, 1934

MR. MCNAUGHTON

5TH SESSION, 18TH LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Cornwall and the Town of Cornwall.

MR. McNAUGHTON

(PRIVATE BILL)

No. 41

1934

BILL

An Act respecting the Township of Cornwall and
the Town of Cornwall.

Preamble.

WHEREAS the corporation of the township of Cornwall and the corporation of the town of Cornwall have by their petitions prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayers of the said petitions;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township and Town of Cornwall Act, 1934*.

Township
By-law
No. 1279B
and Town
By-law
No. 8 (1934)
and
agreement
with
Canadian
Industries
Limited
confirmed.

2. By-law number 1279B of the corporation of the township of Cornwall and By-law number 8, 1934, of the corporation of the town of Cornwall confirming an agreement dated the 12th day of February, A.D. 1934, made between the said corporations and Canadian Industries Limited, and the said agreement are and each of them is hereby ratified, confirmed and declared to be legal, valid and binding on each of the said corporations and the ratepayers thereof, and upon the said company, its successors and assigns, and the said corporations are hereby authorized and empowered to do all acts and things necessary for the due fulfillment and proper carrying out of the said by-laws and agreement.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW No. 1279B OF THE TOWNSHIP OF CORNWALL,

IN THE COUNTY OF STORMONT, FOR THE YEAR 1934

A By-Law fixing the assessment upon the property of Canadian Industries Limited in the Township of Cornwall for a period of Ten Years and authorizing the execution of an agreement between said Company and said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an agreement dated the 14th day of February, A.D. 1934, to fix the assessment and taxes on all real estate, buildings, machinery and plant of Canadian Industries Limited for a period of Ten Years as set out in said agreement and upon the terms, provisoes and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the Corporate seal thereto;;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall, and it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said agreement with said Canadian Industries Limited bearing date the Twelfth day of February, A.D. 1934;

And it is hereby further enacted that the said agreement with said Canadian Industries Limited shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf:

That for the purpose of providing the funds required to pay for the construction of the sewerage facilities and the improvement of Brookdale Avenue as set out in the said agreement there shall be borrowed on the credit of the Corporation the sum of \$5,250.00 and debentures shall be issued therefor on the instalment plan in sums of not less than \$100.00 each, such debentures shall have coupons attached thereto for the payment of the interest.

The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall bear interest at the rate of five per cent. per annum payable yearly and shall be payable in ten equal annual instalments during the ten years next after the date when they shall be issued, the annual payment in each year to be \$679.76 to cover principal and interest.

The debentures as to both principal and interest shall be expressed in Canadian currency and shall be payable at the office of the Canadian Bank of Commerce, Cornwall.

The debentures and interest coupons shall be signed by the Reeve and Treasurer and the debentures shall be sealed with the seal of the Corporation.

During the currency of the debentures there shall be raised in each year the sum of \$679.76 the amount of principal and interest payable in that year by a special rate on all the rateable property in the said Corporation.

Passed in open Council, signed and seal this 5th day of March, A.D. 1934.

(Sgd.) V. A. McDONALD,
Clerk.
(Seal)

(Sgd.) J. L. McDONALD,
Reeve.

BY-LAW No. 8, 1934, OF THE TOWN OF CORNWALL

A BY-LAW authorizing the Mayor and Clerk to sign an agreement dated the 12th day of February, A.D. 1934, between the Corporation of the Township of Cornwall, the Corporation of the Town of Cornwall and Canadian Industries Limited for the establishment of a branch of the said Canadian Industries Limited on part of Lot Number Thirteen lying north of the King's Highway No. 2 in the First Concession of the Township of Cornwall.

The Municipal Council of the Town of Cornwall enacts as follows:

That the Mayor and Clerk shall be and they are hereby authorized to sign and affix the Corporate seal to an agreement dated the 12th day of February, A.D. 1934, and made between the Corporation of the Township of Cornwall, the Corporation of the Town of Cornwall and Canadian Industries Limited under which the said Canadian Industries Limited are to establish a branch for the manufacture of some of its products on part of Lot Number Thirteen in the First Concession of the Township of Cornwall lying north of King's Highway No. 2 more particularly described in the said agreement.

Passed, Signed and Sealed in open Council this 3rd day of March, A.D. 1934.

J. G. HARKNESS
Clerk

J. LEONARD JOHNSON,
Acting Mayor.

Memorandum of Agreement entered into on the Twelfth day of February, One thousand nine hundred and thirty-four.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, County
of Stormont, Province of Ontario,
party of the First Part;
—and—

THE CORPORATION OF THE TOWN OF CORNWALL, County of
Stormont, Province of Ontario,
party of the Second Part;
—and—

CANADIAN INDUSTRIES LIMITED, a body politic and corporate,
having its head office and chief place of business in the City
and District of Montreal,
party of the Third Part.

Whereas the party of the Third Part is contemplating the erection of a plant in the said Township of Cornwall for the manufacture of some of its products; and

Whereas the parties hereto have agreed that the said plant shall be erected on that part of Lot Number Thirteen in the First Concession of the Township of Cornwall, more particularly hereinafter described; and

Whereas the establishment of the said plant in the Township of Cornwall will be of great benefit to both the Town and Township of Cornwall.

Now therefore the parties hereto mutually covenant and agree as follows:

1. That the said party of the Third Part will in the near future establish a plant in the said Township of Cornwall for the manufacture of some of

its products on the south twenty acres of that part of the east half of Lot Number Thirteen in the First Concession of the said Township of Cornwall lying north of King's Highway Number 2, and the southeast part of that part of the west half of said Lot Number Thirteen in the First Concession of the Township of Cornwall lying north of the said Highway Number 2, containing approximately ten acres.

2. That the party of the Third Part shall expend at least Seven Hundred Thousand Dollars (\$700,000) in the erection of a plant on the said property and the installation of machinery, therein, and will employ at least Fifty (50) men in the operation of the said plant.

3. The said party of the Second Part covenants and agrees to supply water from their mains to the party of the Third Part at a cost of Three and one-quarter cents ($3\frac{1}{4}c.$) per One Thousand (1,000) gallons for a period of ten years from the time the said water shall begin to be supplied for manufacturing purposes up to an amount of Three Million (3,000,000) gallons per day and for the supplying of that water, the said party of the Third Part shall have the right to tap the mains along Fifth Street and the Montreal Road.

4. That all general taxes or assessments to be levied by the party of the First Part on the said property and plant (other than the assessment for school purposes and for local improvements) shall, for a period of Ten (10) years from the First of January, One thousand nine hundred and thirty-four, be based upon a fixed assessment of the said property and plant including business assessment of Three Thousand Dollars (\$3,000.00). Notwithstanding the said fixed assessment and partial exemption from taxation granted to the said party of the Third Part by this agreement the said lands and premises shall be annually assessed during the said period of ten years and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term. Nevertheless the said taxes, including business taxes but excluding local improvement rates and taxation for school purposes shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisos and conditions of this agreement or any of them; in the event of such default the whole of the taxes for the year in which said default occurs shall immediately become due and payable and may be collected by the party of the First Part as if this agreement had not been made but the party of the Third Part shall not be subject to any other penalty in respect of such default.

5. The said parties of the Third Part are to insure their buildings and plant on the said premises and in the event of the said buildings being burned and not rebuilt or if the said party of the Third Part should cease to carry on business the provision for a fixed assessment under this agreement shall cease to be operative and the property of the said party of the Third Part shall be assessed at its assessable value.

6. It is further understood and agreed that this fixed assessment shall not apply to any of the above described property sublet to any other person or corporation, unless said subsidiary or corporation be wholly owned by the party of the Third Part.

7. That the said parties of the First and Second Part shall provide sewer facilities for the plant to be erected by the said party of the Third Part by the construction of a twenty-four inch salt glazed vitrified clay pipe sewer leading from the Montreal Road to and into the culvert under the Cornwall Canal and shall at their own cost and expense improve the said Brookdale Avenue with waterbound macadam from Fifth Street to the Cornwall Canal; it being distinctly understood and agreed between the said parties of the First and Second Part that the proportion of cost of the said works to be paid by the said party of the First Part shall not exceed Five Thousand Two Hundred and Fifty Dollars (\$5,250.00), the balance thereof to be paid by the party of the Second part.

8. That the party of the Third Part shall have the right to an easement over Brookdale Avenue to place pipe-lines for the purpose of supplying water and brine to its plant if deemed necessary, such easement to extend from the plant of the said party of the Third Part to the Cornwall Canal.

9. If at any time hereafter the said party of the First Part desires to pass a by-law granting a fixed assessment in respect of a branch of an industry the same as or of a nature similar to the one to be carried on by the party of the Third Part, the said party of the Third Part as evidenced by its execution of these presents hereby consents to the granting of such fixed assessment and no further or other consent requisite under *The Bonus Limitation Act, The Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the party of the Third Part agrees to execute such consent if required by the party of the First Part.

10. That the said parties of the First and Second Part will pass the necessary By-laws to give effect to this agreement.

11. That this Agreement shall not be binding on any of the parties hereto until the said By-laws have been ratified by the Legislative Assembly for Ontario.

In witness whereof the parties hereto have hereunto set their hand and affixed their Seal the day and year hereinabove first written.

Witness:

THE CORPORATION OF THE TOWNSHIP
OF CORNWALL.

J. L. McDONALD, *Reeve*.

V. A. McDONALD, *Clerk*,
Party of the First Part;

[SEAL]

Witness:

THE CORPORATION OF THE TOWN OF
CORNWALL.

CHARLES MICHAUD.

J. LEONARD JOHNSON,
Acting Mayor.

J. G. HARKNESS, *Clerk*.
Party of the Second Part;

[SEAL]

Witness:

CANADIAN INDUSTRIES, LIMITED.

WINTHROP BRAINARD,
Vice-President.

RUSSELL SMITH,
Assistant Secretary,

Party of the Third Part.

BILL

An Act respecting the Township of Cornwall
and the Town of Cornwall.

1st Reading

2nd Reading

3rd Reading

MR. MCNAUGHTON

(Private Bill)

5TH SESSION, 18TH^{*} LEGISLATURE, ONTARIO
24 GEORGE V, 1934

BILL

An Act respecting the Township of Cornwall and the Town of Cornwall.

MR. MCNAUGHTON

No. 41

1934

BILL

An Act respecting the Township of Cornwall and
the Town of Cornwall.

Preamble.

WHEREAS the corporation of the township of Cornwall and the corporation of the town of Cornwall have by their petitions prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayers of the said petitions;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township and Town of Cornwall Act, 1934*.

Township
By-law
No. 1279B
and Town
By-law
No. 8 (1934)
and
agreement
with
Canadian
Industries
Limited
confirmed.

2. By-law number 1279B of the corporation of the township of Cornwall and By-law number 8, 1934, of the corporation of the town of Cornwall confirming an agreement dated the 12th day of February, A.D. 1934, made between the said corporations and Canadian Industries Limited, and the said agreement are and each of them is hereby ratified, confirmed and declared to be legal, valid and binding on each of the said corporations and the ratepayers thereof, and upon the said company, its successors and assigns, and the said corporations are hereby authorized and empowered to do all acts and things necessary for the due fulfillment and proper carrying out of the said by-laws and agreement.

Commence-
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

BY-LAW No. 1279B OF THE TOWNSHIP OF CORNWALL,

IN THE COUNTY OF STORMONT, FOR THE YEAR 1934

A By-Law fixing the assessment upon the property of Canadian Industries Limited in the Township of Cornwall for a period of Ten Years and authorizing the execution of an agreement between said Company and said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an agreement dated the 14th day of February, A.D. 1934, to fix the assessment and taxes on all real estate, buildings, machinery and plant of Canadian Industries Limited for a period of Ten Years as set out in said agreement and upon the terms, provisos and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the Corporate seal thereto;;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall, and it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said agreement with said Canadian Industries Limited bearing date the Twelfth day of February, A.D. 1934;

And it is hereby further enacted that the said agreement with said Canadian Industries Limited shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf:

That for the purpose of providing the funds required to pay for the construction of the sewerage facilities and the improvement of Brookdale Avenue as set out in the said agreement there shall be borrowed on the credit of the Corporation the sum of \$5,250.00 and debentures shall be issued therefor on the instalment plan in sums of not less than \$100.00 each, such debentures shall have coupons attached thereto for the payment of the interest.

The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall bear interest at the rate of five per cent. per annum payable yearly and shall be payable in ten equal annual instalments during the ten years next after the date when they shall be issued, the annual payment in each year to be \$679.76 to cover principal and interest.

The debentures as to both principal and interest shall be expressed in Canadian currency and shall be payable at the office of the Canadian Bank of Commerce, Cornwall.

The debentures and interest coupons shall be signed by the Reeve and Treasurer and the debentures shall be sealed with the seal of the Corporation.

During the currency of the debentures there shall be raised in each year the sum of \$679.76 the amount of principal and interest payable in that year by a special rate on all the rateable property in the said Corporation.

Passed in open Council, signed and sealed this 5th day of March, A.D. 1934.

(Sgd.) V. A. McDONALD,
Clerk.
(Seal)

(Sgd.) J. L. McDONALD,
Reeve.

BY-LAW No. 8, 1934, OF THE TOWN OF CORNWALL

A BY-LAW authorizing the Mayor and Clerk to sign an agreement dated the 12th day of February, A.D. 1934, between the Corporation of the Township of Cornwall, the Corporation of the Town of Cornwall and Canadian Industries Limited for the establishment of a branch of the said Canadian Industries Limited on part of Lot Number Thirteen lying north of the King's Highway No. 2 in the First Concession of the Township of Cornwall.

The Municipal Council of the Town of Cornwall enacts as follows:

That the Mayor and Clerk shall be and they are hereby authorized to sign and affix the Corporate seal to an agreement dated the 12th day of February, A.D. 1934, and made between the Corporation of the Township of Cornwall, the Corporation of the Town of Cornwall and Canadian Industries Limited under which the said Canadian Industries Limited are to establish a branch for the manufacture of some of its products on part of Lot Number Thirteen in the First Concession of the Township of Cornwall lying north of King's Highway No. 2 more particularly described in the said agreement.

Passed, Signed and Sealed in open Council this 3rd day of March, A.D. 1934.

J. G. HARKNESS
Clerk

J. LEONARD JOHNSON,
Acting Mayor.

Memorandum of Agreement entered into on the Twelfth day of February, One thousand nine hundred and thirty-four.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, County
of Stormont, Province of Ontario,
party of the First Part;
—and—

THE CORPORATION OF THE TOWN OF CORNWALL, County of
Stormont, Province of Ontario,
party of the Second Part;
—and—

CANADIAN INDUSTRIES LIMITED, a body politic and corporate,
having its head office and chief place of business in the City
and District of Montreal,
party of the Third Part.

Whereas the party of the Third Part is contemplating the erection of a plant in the said Township of Cornwall for the manufacture of some of its products; and

Whereas the parties hereto have agreed that the said plant shall be erected on that part of Lot Number Thirteen in the First Concession of the Township of Cornwall, more particularly hereinafter described; and

Whereas the establishment of the said plant in the Township of Cornwall will be of great benefit to both the Town and Township of Cornwall.

Now therefore the parties hereto mutually covenant and agree as follows:

1. That the said party of the Third Part will in the near future establish a plant in the said Township of Cornwall for the manufacture of some of

its products on the south twenty acres of that part of the east half of Lot Number Thirteen in the First Concession of the said Township of Cornwall lying north of King's Highway Number 2, and the southeast part of that part of the west half of said Lot Number Thirteen in the First Concession of the Township of Cornwall lying north of the said Highway Number 2, containing approximately ten acres.

2. That the party of the Third Part shall expend at least Seven Hundred Thousand Dollars (\$700,000) in the erection of a plant on the said property and the installation of machinery, therein, and will employ at least Fifty (50) men in the operation of the said plant.

3. The said party of the Second Part covenants and agrees to supply water from their mains to the party of the Third Part at a cost of Three and one-quarter cents ($3\frac{1}{4}c.$) per One Thousand (1,000) gallons for a period of ten years from the time the said water shall begin to be supplied for manufacturing purposes up to an amount of Three Million (3,000,000) gallons per day and for the supplying of that water, the said party of the Third Part shall have the right to tap the mains along Fifth Street and the Montreal Road.

4. That all general taxes or assessments to be levied by the party of the First Part on the said property and plant (other than the assessment for school purposes and for local improvements) shall, for a period of Ten (10) years from the First of January, One thousand nine hundred and thirty-four, be based upon a fixed assessment of the said property and plant including business assessment of Three Thousand Dollars (\$3,000.00). Notwithstanding the said fixed assessment and partial exemption from taxation granted to the said party of the Third Part by this agreement the said lands and premises shall be annually assessed during the said period of ten years and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term. Nevertheless the said taxes, including business taxes but excluding local improvement rates and taxation for school purposes shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisos and conditions of this agreement or any of them; in the event of such default the whole of the taxes for the year in which said default occurs shall immediately become due and payable and may be collected by the party of the First Part as if this agreement had not been made but the party of the Third Part shall not be subject to any other penalty in respect of such default.

5. The said parties of the Third Part are to insure their buildings and plant on the said premises and in the event of the said buildings being burned and not rebuilt or if the said party of the Third Part should cease to carry on business the provision for a fixed assessment under this agreement shall cease to be operative and the property of the said party of the Third Part shall be assessed at its assessable value.

6. It is further understood and agreed that this fixed assessment shall not apply to any of the above described property sublet to any other person or corporation, unless said subsidiary or corporation be wholly owned by the party of the Third Part.

7. That the said parties of the First and Second Part shall provide sewer facilities for the plant to be erected by the said party of the Third Part by the construction of a twenty-four inch salt glazed vitrified clay pipe sewer leading from the Montreal Road to and into the culvert under the Cornwall Canal and shall at their own cost and expense improve the said Brookdale Avenue with waterbound macadam from Fifth Street to the Cornwall Canal; it being distinctly understood and agreed between the said parties of the First and Second Part that the proportion of cost of the said works to be paid by the said party of the First Part shall not exceed Five Thousand Two Hundred and Fifty Dollars (\$5,250.00), the balance thereof to be paid by the party of the Second part.

8. That the party of the Third Part shall have the right to an easement over Brookdale Avenue to place pipe-lines for the purpose of supplying water and brine to its plant if deemed necessary, such easement to extend from the plant of the said party of the Third Part to the Cornwall Canal.

9. If at any time hereafter the said party of the First Part desires to pass a by-law granting a fixed assessment in respect of a branch of an industry the same as or of a nature similar to the one to be carried on by the party of the Third Part, the said party of the Third Part as evidenced by its execution of these presents hereby consents to the granting of such fixed assessment and no further or other consent requisite under *The Bonus Limitation Act*, *The Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the party of the Third Part agrees to execute such consent if required by the party of the First Part.

10. That the said parties of the First and Second Part will pass the necessary By-laws to give effect to this agreement.

11. That this Agreement shall not be binding on any of the parties hereto until the said By-laws have been ratified by the Legislative Assembly for Ontario.

In witness whereof the parties hereto have hereunto set their hand and affixed their Seal the day and year hereinabove first written.

Witness:

THE CORPORATION OF THE TOWNSHIP
OF CORNWALL.

J. L. McDONALD, *Reeve*.

V. A. McDONALD, *Clerk*,
Party of the First Part;

[SEAL]

Witness:

THE CORPORATION OF THE TOWN OF
CORNWALL.

CHARLES MICHAUD.

J. LEONARD JOHNSON,
Acting Mayor.

J. G. HARKNESS, *Clerk*.
Party of the Second Part;

[SEAL]

Witness:

CANADIAN INDUSTRIES, LIMITED.

WINTHROP BRAINARD,
Vice-President.

RUSSELL SMITH,
Assistant Secretary,

Party of the Third Part.

BILL

An Act respecting the Township of Cornwall
and the Town of Cornwall.

1st Reading

February 27th, 1934

2nd Reading

March 16th, 1934

3rd Reading

March 21st, 1934

MR. MCNAUGHTON

